Index to Minutes of Meetings
The Commission of Fine Arts
28 January 1954

American Battle Monuments Commission
American Military Cemeteries at
Hamm, Luxembourg 9
Carthage, North Africa 9
American Medical Association
Headquarters Office 10

Carillon, The Netherlands
Site for 3
See also Exhibit C
Central Intelligence Agency
National Security Medal 3
Commission of Fine Arts
Budget for FY 1955 1
Enlargement of - See Legislation

E Street Bridge 10
See Legislation - also Exhibit J and J-1

Foreign Service Buildings abroad
Should CFA advise on design 12

General Accounting Office
Mural paintings by John Chapman Lewis 12

Legislation
HR 5397/83rd C - to provide for establishment of
National War Memorial Art Commission 5
HR 7185/83rd C - same title as above 6
HR 7106/83rd C - same title and paragraph on
enlargement of the Commission of Fine Arts 6
HR 6876/83rd C = E Street Bridge 10

Lincoln Furniture
See White House, gifts to

Marine Corps War Memorial
Landscape plan for 2
See also Exhibit C

Postage Stamps, New
Rotogravure process of printing 2

Public Law 808-Old Georgetown Act
Newly appointed committee of architects 1

Shipstead-Luce Act submissions
Parking garage - 1335 E Street, preliminary design 6
Amalgamated Casualty Insurance Company-hdqr. bldg. 8
SL 1612 = 609 15th Street 10
1613 - 1650 Tamarack Street 10

War Memorial Arts Commission, National
See Legislation

White House, Gifts to The
Lincoln furniture - offer from John Witt, London 11

MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS

Held In Washington D. C., January 28, 1954

The fifth meeting of the Commission of Fine Arts, during the fiscal year 1954, was held in its Office in the Interior Department building on Thursday, January 28, 1954. The following members were present:

Mr. Finley, Chairman,
Mr. Neild,
Professor Hudnut,
Professor Belluschi,
Mr. Peets,
Mr. de Weldon,

also H. P. Caemmerer, Secretary and Administrative Officer.

The Meeting was called to order at 9:30 a.m.

1. APPROVAL OF MINUTES OF PRECEDING MEETING: The Minutes of the Meeting of the Commission of Fine Arts, held on December 17, 1953, were approved.

2. COMMITTEE ON OLD GEORGETOWN: The Secretary reported that the newly appointed member of the Committee of Architects, Mr. Walter G. Peter, of Georgetown, reported for duty on January 5, 1954, and is well pleased with the work. The Committee meets each Tuesday afternoon, and considers approximately a dozen cases each week; the number of cases in now approaching about 800. The Commission expressed their appreciation of the work of the Committee.

3. BUDGET OF THE COMMISSION: Chairman Finley reported that last week, Wednesday, he and Mr. Caemmerer were called to appear before a Subcommittee of the Appropriations Committee of the House of Representatives to present the Budget of the Commission for the fiscal year 1955, and that they were given a cordial reception. Mr. Finley said that, while the aim is to cut appropriations wherever possible, he hoped the Commission would be allowed the same amount for the next fiscal year as for this year, namely, $21,200.

4. NEW POSTAGE STAMPS: The Secretary stated that there has appeared in the newspapers a report that the Post Office Department is considering the printing of stamps by the rotogravure process; also, that Mr. Halasz had just handed him an article entitled "U. S. Plans to Switch from One Color Stamps to Many-Hued Kind" that appeared in the Wall Street Journal on January 25, 1954.

Aslo, he said, "I talked with Mr. Hall of the Bureau of Engraving and Printing about this matter, and he said that it is true the Post Office Department is considering this new process of making stamps, and that he is waiting for the "go signal" from that Department to go ahead with the proposed competition. Thereupon, I talked about the matter with Mr.Robertson of the Post Office Department, who said the Postmaster General is considering the use of the rotogravure process for making stamps, and that they are waiting for the "green light" from him to go ahead with the Competition that is proposed.

5. U. S. MARINE CORPS WAR MEMORIAL: Major General Merritt A. Edson, USMC (Ret'd), President of the Marine Corps War Memorial Foundation, Inc., and Mr. Horace Peaslee, Architect, appeared before the Commission and presented a landscape plan, drawn by Mr. Peaslee, for the U. S. Marine Corps Memorial to be erected on the Nevius Tract, at the site indicated by Mr. de Weldon in his model, presented at the December meeting of the Commission, on a plot of ground granted by the Secretary of the Interior, comprising eight or nine acres, including a parade ground.

The Commission expressed interest in the design, and the members, individually, had a number of comments to make for consideration by Mr. Peaslee in the further development of the design (Exhibit A, and B). A copy of the discussion is attached hereto and made a part of these Minutes (Exhibit C).

6. CARILLON TOWER: Mr. Peets said:

"Mr. Chairman, I was requested a couple of meetings back to prepare a statement on the subject of the location of the bell tower in

Meridian Hill Park. Last night at a late hour, I did so. I also have written out a statement which I think describes our policy with respect to the Nevius Tract. Those are available for any use the Commission cares to make of them. The discussion of the Nevius Tract reflects our previous remarks about it that it should be primarily a place where trees grow in order to form the best background and also a statement that we feel that the Marine Memorial does not conflict with that idea. The statement on Meridian Hill Park describes the possibility and the advantages of locating the bell tower there, not on the basis of an invidious comparison with the Nevius Tract, but on its own merit."

Chairman Finley expressed the hope that Mr. Peets would read the statements above mentioned at some time during the day.

Mr. Peaslee discussed the question of site in Meridian Hill Park with the Commission following the consideration of his design for the Marine Memorial. He mentioned three:

(a) A site on the Fifteenth Street cross-axis.

(b) A site near the present site of the statue of Jeanne d'Arc, which is to be relocated; "the bell tower might go back of the big terrace where the concert pavillion was proposed."

(c) A site favored by Mr. Peets; it is about on definitely an oval axis. It might come at this point (indicating).

Mr. Peaslee called attention to a number of "projects" concurred in by the Commission of Fine Arts for Meridian Hill Park, but never carried out. The Commission decided to give these matters further consideration at the next meeting.

7. **NATIONAL SECURITY MEDAL:** Colonel Gaynor of Central Intelligence submitted a design for a National Security Medal, with Memorandum, as follows:

"By Executive Order No. 10431 of 19 January, 1953, President Truman created a decoration known as the National Security Medal for award to persons who have distinguished themselves by achievement or outstanding contribution in the field of intelligence relating to the national security. Regulations governing the award of the National Security Medal were published at the same time. Coincidentally, the President authorized the Director of Central Intelligence to make awards of the National Security Medal and to recommend such additional rules and regulations as might be necessary.

"In the execution of this responsibility the Director of Central Intelligence appointed an Honor Awards Board to consider recommendations for the National Security Medal as well as to secure designs and arrange for manufacture of the medals. The Honor Awards Board has selected a design for the Medal which, in accordance with the terms of the Executive Order, has been approved by the Executive Secretary, National Security Council.

"This design is presented for your consideration."

Chairman Finley asked the name of the sculptor who designed it. Colonel Gaynor replied, "Mr. Sterner, who is here with me, prepared the basic design. Certain modifications were made to that design to bring the leaves out of the enameled portion so that manufacture would be possible. Work on a model has been started very recently by the Heraldic Branch of the Office of the Quartermaster General. They have not proceeded to any marked degree with that. They have done some of the basic working of the material. They made the improvements in the details of the design to bring the leaves of the wreath outside of the enameled surface. That was their contribution. The basic design was done by Mr. Sterner of our own agency. The Heraldic Division approves the design which I am presenting."

Mr. Neild asked, "What is the significance of the compass shaped design.

Colonel Gaynor replied, "That is intended to depict the universality of intelligence effort which operates world-wide on a full-time 24 hour basis. The eagle, of course, is a symbol of national strength. The wreath is commonly used to denote a prize or award to one who has performed an achievement of high order. In this medal we tried to strike a comparison; we would think of it in terms equivalent to the Distinguished Service Medal as used by the military services; and it would only be presented for highly responsible performance service or achievement."

Chairman Finley asked, "Is it sufficiently distinguished from other existing medals so that in design there would be no confusion?"

Colonel Gaynor replied, "No confusion at all, sir, in my mind. We have selected a shape, an oval shape, that has not been previously used in the field of United States Military decorations so there would be no conflict there. The ribbon design was prepared also by the Heraldic Branch and is similar to nothing that has been used by the United States at any time. Mr. DuBois and his men did considerable research on that."

Chairman Finley said, "The Heraldic Branch does excellent work in research in order to prevent confusion in decorations."

Colonel Gaynor concluded by saying: "The design, as you see, is a combination of the basic medallic design of Mr. Sterner's, the improvements suggested and incorporated by the Heraldic Branch, and the ribbon design as proposed by the Heraldic Branch."

Thereupon, on motion by Mr. Neild, seconded by Mr. de Weldon, the Commission approved the design.

Colonel Gaynor then presented two minor details, saying, "We have proposed that, in the event of a second award of this medal, a little device be applied to the ribbon and if it is awarded for valor, which would be very rare indeed, a wreath would be applied to the ribbon.

"The medal will be produced at the Mint. It will be gold bronze or bronze with a gold-plated finish, perhaps."

The Commission decided to approve that "device" also. A report was sent to Colonel Gaynor (Exhibit D).

8. H. R. 5397: The Commission were informed by letter from the Bureau of the Budget that there would be no objection to sending to the Committee on Education and Labor of the House of Representatives a report on H. R. 5397 as requested by the Committee. The Commission of Fine Arts approved the report at a meeting held on November 17, 1953. With the letter from the Bureau of

the Budget was a copy of a letter to the above Committee in which the Bureau reported adversely on the Bill (Exhibit E).

The Commission of Fine Arts thereupon sent the letter to the Committee on Education and Labor (Exhibit E-1).

9. H. R. 7185 AND H. R. 7106 (FOR THE ESTABLISHMENT OF A NATIONAL WAR MEMORIAL ART COMMISSION): The Secretary presented copies of these Bills for the consideration of the Commission. Both Bills are practically identical, H. R. 7185 being a revision of the Howell Bill H. R. 5397. H. R. 7106 was introduced by Congressman Bolling of Missouri. Both Bills are 55 pages in length, each; and each contains a Subtitle on the Commission of Fine Arts, proposing to enlarge the Commission to 21 members, and allowing $50,000 a year for expenses. (Exhibit F).

The Commission felt that such an increase in membership would make the Commission of Fine Arts unwieldy, and would change the character of the Commission as heretofore constituted.

Chairman Finley suggested that the Commission's report on H. R. 5397 would answer the purpose for the present; and if a Hearing on the new Bills is to be held, he would inform the members of such Hearing. In the meantime, he would welcome the views of the members on these bills.

10. PARKING GARAGE, 1335 E STREET, NORTHWEST (at site of the Washington Post Building): Under date of January 27, 1954, the following letter was received from Mr. Hewitt Wells, Architect, 1401 K Street, N. W.:

> "The approval of The Commission of Fine Arts is requested of the construction of an automobile parking structure to occupy the premises of the Washington Post Building at 1335 E Street, N. W., Washington, D. C.
>
> "For your consideration and approval, we are enclosing prints of the preliminary architectural design and floor plans, also a photograph of the present building and an architectural rendering showing the three story structural steel open deck parking structure.

"This building will be 85'-6" wide and about 30'-0" high, and will have a capacity of about 200 cars.

"It is proposed to incorporate in the construction two stores with recessed plate glass front, as indicated on the rendering and floor plan, and to cover the spandrel beams with asbestos cement panels of the texture and color of limestone, similar to the sample submitted and as approved by you for the auto parking structure at 1415 Pennsylvania Avenue.

"The fire wall required by the code and as shown adjacent to the Munsey Building will be built of good quality light tan face brick.

"Your approval is requested pending the preparation of the completion of the architectural and engineering drawings to be submitted to you through the D. C. Building Department at a later date."

Mr. Wells was present and explained the project to the Commission. He said:

"I am submitting for your consideration and tentative approval, pending completion of a full set of architectural plans and specifications, a set of preliminary plans.

"This design is similar to the parking structure which we are now erecting at 1415 Pennsylvania Avenue, under plans that you approved several months ago; we propose to use this material, of which I am submitting a sample, being asbestos cement panels of the texture and color of limestone, such as we are using for the 1415 Pennsylvania Avenue site."

Professor Belluschi asked: "What are the joints?"

Mr. Wells replied: [illegible]"

"Those pieces would be approximately 24 inches wide and four feet high and secured to a backing of structural steel and they would simply be butted. No metal at all. As a matter of fact, we would work out a scheme by which there would be no screws or bolts seen on the surface. We hope to screw it into the back, secure it to the structure satisfactorily so that the face would not be marred."

Professor Belluschi then asked: "How do you keep the water from entering the joints?"

Mr. Wells replied:

"They claim that water and weather have no deteriorating effect on the walls. The garage is open inside. The purpose in using the asbestos cement is to improve the appearance."

Professor Belluschi thereupon called attention to a brick pier there (indicating), which seems foreign to all the rest,---"What is that back of,

and why is it solid and why is it brick?" Mr. Wells replied, "This is a fire wall ten feet wide which, according to the District Building Code, is required for this type of structure when it is within ten feet of an adjoining property. It may be any material and it is merely a fire wall, maybe only eight inches wide. I say in my letter of submission, it may be light-textured brick."

Mr. Neild asked, "Why is it not required on the other side also?" Mr. Wells replied, "Because we have an alley here which is ten feet wide."

A few other criticisms were made to Mr. Wells by the Commission in matters of detail. The question of a neon sign is to be studied by the architect in the further development of the design.

The Commission gave preliminary approval to the design, with the understanding that the architect will embody suggestions by the Commission in the completed drawings, these to include suggestions regarding a neon sign (Exhibit G).

11. AMALGAMATED CASUALTY INSURANCE COMPANY: Under date of January 11, 1954, the Office of the Building Inspector, District Building, submitted a design for a Headquarters Building for the Amalgamated Casualty Insurance Company (Application No. 1608), to be built at the corner of Fourth Street and Indiana Avenue, Northwest, opposite the southeast corner of Judiciary Square, near the old Hadfield Court House.

The Commission inspected the design, and considered it to be entirely inappropriate for the location.

Mr. Neild pointed out that it is an important location, and deserves a better building.

Commenting on the design, Professor Belluschi said, "The scale is wrong, the fenestration is not good, and the entrance is awful." The Commission concurred in these criticisms. The question was raised as to whether or not there would be additional stories on the building at some time in the future.

Thereupon, the Commission disapproved the design. The Building Inspector's Office was notified accordingly.

In connection with the submission of a new design, the Commission expressed a desire to see a sample of the material to be used on the exterior walls.

12. AMERICAN MILITARY CEMETERIES: (a) Hamm, Luxembourg. The Commission took note of a copy of a letter dated January 14, 1954, from Mr. Ralph Walker of the firm of Voorhees, Walker, Foley & Smith, Architects, 101 Park Avenue, New York City, addressed to Admiral Thomas C. Kinkaid, Vice Chairman of the American Battle Monuments Commission, expressing disappointment over difficulties encountered in the matter of their World War II Memorial, and asking that their contract be canceled, with payment to them of expenses they have incurred to date (Exhibit H).

The Secretary stated that he had had a talk with the Executive Officer of the American Battle Monuments Commission about the matter, and was informed that the Commission had taken no action on the above request; also he stated that the architects have not begun on the superstructure, other than making some test borings for foundations.

The Commission took the letter under advisement, and decided to await a report from the American Battle Monuments Commission concerning the matter.

(b) American Military Cemetery at Carthage: The Commission received a letter from Moore and Hutchins, Architects, 215 East 37th Street, New York City (Exhibit I), saying that they have been advised that Mr. Henry Varnum Poor would not be given the contract for doing the decorative maps at the American Military Cemetery at Carthage, North Africa, as the architects had expected.

The Commission decided to await a report from the American Battle Monuments Commission on the subject. It was pointed out that Mr. Poor had been a

member of the Commission of Fine Arts from 1941 to 1945, and had done numerous mural paintings in various parts of the country.

13. SHIPSTEAD LUCE ACT SUBMISSIONS:

(a) The Secretary submitted a design for alteration of the building at 609 - 15th Street, Northwest, which is to be used for a restaurant. The Commission approved the design (Case No. 1612) and the Superintendent of Permits of the District of Columbia Government was notified accordingly.

(b) The Secretary submitted a design for a residence at 1650 Tamarack Street, Northwest, of the rambler type. The design (Case No. 1613) was inspected and approved, and the Superintendent of Permits of the District of Columbia Government was notified accordingly.

14. E STREET BRIDGE: The Secretary presented a copy of H. R. 6876, "To authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River and Theodore Roosevelt Island in the vicinity of E Street, and for other purposes (Exhibit J).

Chairman Finley stated that he had just received a letter from Mr. Gilmore D. Clarke protesting against the erection of the bridge proposed. The Commission thereupon called attention to the Resolution that had been drafted by Professor Hudnut and adopted by the Commission, protesting against the erection of a bridge at E Street and crossing Theodore Roosevelt Island (Exhibit J-1).

15. AMERICAN MEDICAL ASSOCIATION BUILDING: Under date of December 26, 1953, the Commission received the following letter:

> "The Medico-Chirurgical Society of the District of Columbia is endeavoring to have the National Medical Association, with which this Society is affiliated, to establish its national headquarters in Washington, D. C., by purchase or erection of a building.
>
> "To support our claim with authoritative data, we are asking if your offices will furnish us with any available information on "Why National Headquarters Should Be in Washington, D. C."

"We will appreciate any available photographs and/or sketches of buildings, monuments, and other Washington scenes. We are competing against New York City, Philadelphia, Chicago, Saint Louis, Cleveland, Detroit, and Nashville for the location of the proposed building."

The Commission called attention to the fact that there are numerous "Headquarters Buildings" representing national organizations in the City of Washington, and stated that they would be glad to see the American Medical Association locate their headquarters building in Washington. The Commission suggested that the matter of location be taken up with the Chamber of Commerce. Several photographs of monumental headquarters buildings were sent to the Association in connection with a report (Exhibit K).

16. **LINCOLN FURNITURE FOR THE WHITE HOUSE:** Chairman Finley brought to the attention of the Commission the following letter that he received from Mr. R. D. Muir, Acting Chief of Protocol, the Department of State:

January 27, 1954

"My dear Mr. Finley:

The American Embassy at London has informed the Department of the offer of Mr. John Witt, 15, Dorset Square, London, N.W.1, to restore to the White House several pieces of furniture in his possession which are believed to have belonged to President Lincoln.

"Mrs. Eisenhower has expressed an interest in the furniture and, with a view to determining its authenticity and acceptability, I am enclosing copies of two communications, with enclosures, from the Embassy at London, dated September 15 and November 25, 1953.

"It would be appreciated if you would be good enough to bring this matter to the attention of the Commission and inform me of their decision.

Sincerely yours,
S/ R. D. Muir
Acting Chief of Protocol"

The Commission gave consideration to the offer and decided that if it can be substantiated that this furniture belonged to the White House, and the White House would be delighted in receiving the several pieces, there would be no objection on the part of the Commission of Fine Arts to accepting this furniture—three chairs and a sofa. A letter was sent by Chairman Finley to

Mr. Muir, accordingly (Exhibit L).

17. MURAL PAINTING, GENERAL ACCOUNTING OFFICE: The Commission called on the Honorable Lindsay C. Warren, Comptroller General of the United States, to inspect a mural painting by John Chapman Lewis installed in the office of the Comptroller General.

The painting is approximately 12' x 6' in size, in oil, and depicts the tulip industry in North Carolina. Mr. Warren, in referring to the painting, said:

> "This is believed to be the largest tulip field in the United States, in my county of Beaufort in North Carolina, comprising 22 acres. When the Dutch lost thousands of bulbs by flood, we sent 14,000 tulip bulbs to Holland. The green field in the background of the tulips is intended to indicate that the tulips have been picked. Mr. Lewis went to Beaufort County to talk with the people. The three persons depicted are personally known to me. The tulip field represents reclaimed swamp land. The marketing of tulips has become a great industry there."

The Commission approved the painting. A report was sent to the Comptroller General accordingly (Exhibit M). Chairman Finley expressed regret that the painter member, Mr. Biddle, could not be present, but said it could be arranged to have him see it some other time.

18. FOREIGN SERVICE BUILDINGS: Honorable Myron M. Cowen, Former Ambassador to Belgium and Consultant in the Department of State, was in conference with the Commission on the subject of designs for U. S. buildings in foreign countries. He felt the work was not receiving proper supervision, and that designs for new Embassy buildings, Legations, or alterations of U. S. buildings should have the approval of the Commission of Fine Arts. Mr. Cowen cited several examples of poor work done; particularly the work at the Embassy in Brussels was very poorly done and embarrassing both to the Embassy staff and to the people in Belgium, since a fine old house that had been purchased was mutilated in making alterations. There is also the problem of furnishing these buildings; the work in this respect has demonstrated bad taste.

Chairman Finley stated that several instances of this character have come to his attention. The Commission of Fine Arts is advising as to designs for U. S. World War Memorials in foreign countries and there would seem to be no reason why designs for Embassy buildings should not be submitted by the Department of State to the Commission of Fine Arts for advice.

Professor Belluschi said he was in Washington last week, having received an appointment as a member of a committee which would advise the Department of State with reference to foreign service buildings. Ralph Walker is another member of the Committee, and Mr. Shepley is a third member. Colonel H. A. McBride is Chairman.

The Commission expressed interest in the matter and assured Mr. Cowen of their cooperation. Attention was called to the consideration given the subject in the Report on Art and Government. Mr. Cowen was supplied with copies of Reports of the Commission, containing laws, etc., under which the Commission operates.

19. NEXT MEETING OF THE COMMISSION: It was decided to hold the next meeting of the Commission of Fine Arts in Washington on Thursday, March 11, 1954.

The Commission adjourned at 3:00 p.m.

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington 25, D. C.

February 4, 1954

Dear General Edson:

The Commission of Fine Arts, at their meeting on January 28, 1954, approved in principle the landscape plan (Study No. 7) drawn by Mr. Horace W. Peaslee for the United States Marine Corps War Memorial.

It is understood that certain details are still to be worked out.

For The Commission of Fine Arts:

Sincerely yours,
Sgd.
David E. Finley,
Chairman.

Maj. Gen. Merritt A. Edson,
USMC (Ret'd), President,
Marine Corps War Memorial
Foundation, Incorporated,
Henderson Hall,
Washington 25, D. C.

EXHIBIT A

LETTER TO SECRETARY OF INTERIOR

TO BE ADDED LATER

Letter cannot be located - therefore omitted.

EXHIBIT B

LETTER TO SECRETARY OF INTERIOR

TO BE ADDED LATER

Letter cannot be located - therefore omitted

EXHIBIT B

UNITED STATES MARINE CORPS WAR MEMORIAL
January 28, 1954

CHAIRMAN FINLEY: General Edson, I understand you have a new plan that has been worked out about which Mr. Peets has told us something. We will be glad to hear from you.

GENERAL EDSON: Mr. Peaslee will present the plans.

MR. PEASLEE: In presenting them, I think I had better present the development in sequence because there are some changes here about which Mr. de Weldon is not aware because he has been out of town. As far as my office is concerned, the project began with the scheme developed by Mr. Peets and presented at the previous meeting, and the scheme presented by the National Park Service, also discussed at the last meeting. (Both schemes exhibited with locations indicated on map). Both sites were approved in a letter from the Fine Arts Commission, so we had a little difficulty since the two sites were different.

MR. CAEMMERER: Pardon me, Mr. Peaslee. We left out one word in the letter to General Edson, the word "generally" concerning Thompson's plan.

MR. HANSON: He construed it literally in putting it in the contract.

MR. PEASLEE. Now, there have been various developments in this study, one of which was the idea that this was not merely the setting for a monument but also something that has not been discussed before, a parade. Those of you who have seen the Marines in action at headquarters where they have a Marine Band and a Drum and Bugle Corps and their crack troop that operates without any commands, know what that parade means. Their pagentry will be part of this whole setting. Starting from this parade ground segment and the site fixed by Mr. Peets, a scheme was developed for that site using an oval form rather than the rectangle, developing the idea of a crescent terrace with slopes like those of the Washington Monument which are used so much for spectators sitting on the

slopes to see Fourth-of-July and other spectacles; it was also very much desired by Mr. de Weldon that there be a diagonal approach which would give the best, first impression of the monument. The monument will face south and an approach from this southeasterly diagonal is the one preferred. The scheme shows accommodations for parking about 250 cars. The National Park Service's scheme calls for two hundred-odd cars, with a single entrance and exit road. In developing the scheme, we tried first to get the entrance road which would lead up to the most advantageous point of view with a place for turn-around and return, and then parking wrapped around the crescent with an exit return to Ridge Road. That developed into different schemes, with increased parking, with the Monument centrally located. Next we were involved in the discrepancy between the two sites and the parade ground requirement. Then it seemed that it would be desirable to separate the parade ground, and I think Mr. Peets has agreed with that point of view. So this study (No. 5) was the first one developed to get the monument out of the center of the site. That led to this scheme (No. 6) which was approved in principle at a meeting held last Tuesday, which Mr. Peets attended together with the representatives of the Marine Corps War Memorial Foundation and Mr. Thompson and Mr. Haussmann of the National Park Service. In this scheme, we have gone forward to the site recommended by the National Park Service. I think that Mr. de Weldon concurred before he left town.

MR. de WELDON: Yes.

MR. PEASLEE: I might say that in order to get some kind of a consensus on this, I prevailed upon my good friends, Elbert Peets and Leon Zach, landscape architect of the National Capital Planning Commission, to sit in on a discussion last Sunday. Their discussion was invaluable. They made very constructive criticisms of the whole layout. As the result of their discussion, and of the Tuesday meeting, this plan was approved in principle as to the detachment of the

monument from the Parade; the moving forward of the site, the desired approach for the best view of the Monument, the parking detached from the crescent, and an exit via North Meade Street to the Lee Highway, with a lead down for parade allows doing away with the superfluous exit roadway shown in the Park scheme.

The first scheme proposed an elevation of this general area to one hundred and ten feet which meant an average of about ten feet over the whole thing and perhaps fifteen feet over this side. We have pulled that down to a very slight fill. (Final agreement, El. 102 for monument; 97 for the parade).

Scheme No. 7 is a development of the scheme approved in principle (No. 6), very much simplified as recommended by my kindly critics; and I think that is all I need say at this point. (Rendered plan exhibited).

There are sections in the plan underneath to show the general layout of the land and the relation to the existing grades.

MR. PEETS: If the plan were set up there where Mr. Caemmerer is standing, we could all get a shot at it.

CHAIRMAN FINLEY: General Edson, you are pleased with this?

GENERAL EDSON: Very much so, Mr. Finley. As Mr. Peaslee said, we had a meeting in his office on Tuesday morning. Present at that meeting were Mr. Thompson and Mr. Haussmann of the National Capital Parks, Mr. Peaslee and I forgot to include in my letter that Mr. Cole was there but he was there also; Mr. Peets and Mr. Hanson and myself. We reached an understanding and agreement on the location of the monument as shown here, the orientation of the statue generally north and south, and the general elevation, all of which was stipulated in Condition One of the Letter of Agreement between Mr. Wirth and myself, as to orientation, location, and elevation. Also, at that meeting, there was a general approval by all people concerned on this scheme here. We like it very much.

CHAIRMAN FINLEY: And the parade is a feature that you like?

GENERAL EDSON: Very much so. Actually, we like the location of the monument itself farther to the east and the parade all on the westerly side. We think it has many advantages over the other; the ceremonies and what-not will all be concentrated on one side rather than perhaps others.

CHAIRMAN FINLEY: Would you like to say something about it?

MR. PEETS: Whenever I look at any plan whatsoever, I say,'couldn't this be simplified a little?' So I have been looking for any little point to which I could apply that comment. Possibly people who have not seen the plan before are in a position to catch those points. The memorial itself has the little planting bed, ten feet wide around the octagonal shape, and outside of that is a wide pavement and then a drop down to the parade ground. What is that drop, Horace?

MR. PEASLEE: Three steps, a foot and a half, just enough to have an enclosing frame.

MR. NEILD: May I ask a question? Is the monument in full view from this side, this road?

MR. PEASLEE: The monument would be viewed where I have left those gaps for passing views; also from down below the Lee Boulevard approach. There is a section right in the lower part of the plan which shows the longitudinal relationship.

MR. NEILD: It seems to be 85 and 100—there seems to be a ten-foot difference in grade there.

MR. HUDNUT: I would like to make two comments on it. I think the memorial should be placed in the center of the open space as in the earlier sketch. I think it needs the space around it to give it the grandeur, isolation, strength. It is too fussy the way it is now. Second, I object to the angular approach to

any monument. I think the approach should be on one of the axes in every case. I think your design is getting to be too fussy or too busy around that monument and that will be all the more busy because of the contest with the open space of the parade ground around it.

MR. PEETS: May I comment on what Dean Hudnut has said? As I indicated this morning while we were chatting informally, this plan represents a new approach to the design. At the time the first studies were made, it was thought of as a place which would usually be seen only by a small number of pilgrims at a time. There was no large provision for parking and there was no large provision for people coming to view the memorial. In my own first study, I did not even show a paved walk running out from the approach walk to the monument itself. The idea of large gatherings of people and the idea of parades, music, and maneuvering has changed the approach very definitely. When Mr. Peaslee began to recognize that factor more and more fully, he moved the monument off center of the oval but that proved to be a very unsatisfactory location since it looks like a modification of a very different parti. Also, the oval shape was anything but desirable in its outlines for any maneuverings since all the lines were very strongly curved. It was criticisms directed toward this study which produced a more functional separation, let us say, of those two factors—the Memorial and the parade ground.

The plan now presented is thoroughly satisfactory in its separate emphasis of these elements. It is developed from the anticipated human use of the different parts of the design, the dramas that will take place there. A visiting general, for example, will come from this direction; his car will stop here; he will walk in with his aides and will lay the wreath down at the monument. And if there are maneuvers being held that afternoon, if there is a crowd of people there, where will they stand? What will they see? The analysis of these uses

resulted in what may be called a theater type of plan in which the parade ground is the auditorium and the little oval accommodating the memorial is the stage. Mr. Peaslee has accomplished that separation, that logical basic plan, and it seems to me that this is a step in advance. I agree immediately that even as it is now somewhat simplified, there is an appearance of agitation, let us say, in the vicinity of the memorial, particularly in the vicinity of the Memorial. Some of the flights of steps and curved walks and other features justify Mr. Hudnut's criticisms. But these, I am sure, can and will be greatly simplified in further studies. Particularly the treatment just east of the Memorial.

MR. PEASLEE: May I interject at this point? The two reasons for that which I did not mention; first, the view of the Monument from the Memorial site on the so-called east-west axis of the composition from this Memorial to the center of the Washington Monument. On the plan, I have indicated, upside down, the position of the Washington Monument in relation to the Lincoln Memorial and the Capitol, with the Monument standing halfway in the view between the Lincoln Memorial and the Capitol. There is very definitely a beautifully framed panorama in that setting, one that Mr. Peets had in his site originally, which we have retained in this one. That is one reason for developing that little lower plaza as an overlook.

Another reason is it gives opportunity to get away from the monument on the east side and to see the best composition. The composition on the west side is the photographer's composition which was more or less a condition imposed on the sculptor who has taken advantage of the fact that there is no photograph of the opposite side to improve the composition of the figures. That is the best view; and it seemed to me that a plaza only thirty feet wide around that central composition did not give opportunity to get back far enough to see figures which are 32 feet high above an 8-foot base.

MR. HUDNUT: If there was no parade, would you not agree that the best

place was the center of the oval?

MR. PEETS: I think I would have to say, yes.

MR. HUDNUT: In other words, it is a question of weighing the desirability of parades, shall we call the form, and beauty of the parades against the form and beauty of the monument; and you chose the parade and I choose the monument.

MR. PEETS: I would still hope to harmonize those two positions. Certainly, you now have a longer view across level land of the memorial than was had in any plan showing the memorial centered in the big open space. Now we have the open space but the monument is set to one side of it so that the two things are beautifully separated.

MR. HUDNUT: What I have in mind is not so much the view of the monument, as the need for giving it architectural grandeur, like the oval in the Piazza San Pietro. You have the obelisk in the center and that monument, its character as a free standing monument, is seen from all sides and it demands a great space to give it proper setting. No trees and prettification and steps.

MR. PEASLEE: That is a level plaza, is it not?

MR. HUDNUT: Yes.

MR. PEASLEE: This is supposed to suggest the height of Iwo Jima which is not a level plaza and the monument as placed now has from the east a wonderful build-up from the river continuing the lines of the slope and rising to the heights suggesting the original.

MR. PEETS: Three steps?

MR. PEASLEE: No, continuing the slope of the hill and picking up from way down the river, a continuous slope to the crest which you would not have if the monument were pushed back in the center of a level space.

MR. HUDNUT: Instead of a parade, we ought to have a charge there.

MR. PEASLEE: I am an ex-captain but not a Marine so I can speak about the Marine's parades--

MR. HUDNUT: I am an ex-private so I can speak with more distinction still.

MR. PEASLEE: It is one of the finest sights in Washington, an invitation affair near the Commandant's quarters at the Marine Barracks. They are crack troop performances; the parade of the Marine Band and the Bugle Corps is a beautiful spectacle. It is limited to a relatively few guests sitting on chairs along the parade. Now, this affords a place where the feature show of the Marines could be brought out in the open for the general public. The space would be as large as their parade ground but have infinitely more capacity for spectators.

MR. HUDNUT: I can concede the appropriateness for the parade. I am not disputing that. I just want to say one thing more and I do not want to press my point any further. Not only do I think that a monument of that kind calls for an architectural space around it -- breadth, beauty, but I think it is inappropriate as a background feature. You have placed it there as in a theater where you see one side of it, a stage. I think the design is inappropriate for that.

MR. PEETS: The design of the memorial?

MR. HUDNUT: Yes. I think it is not a portrait, to be set against background. It is a free-standing all-around thing.

GENERAL EDSON: Was it not part of the thinking, Mr. Peaslee, that the monument seen from the west would fit into the panorama across the river?

MR. PEASLEE: Yes, in silhouette.

GENERAL EDSON: The Washington Monument and the Lincoln Memorial and the White House. Another thing that appealed to me, again, is this upsweep from the lower elevation. The great majority of people who are going to view it are probably going to view it from over here because this is open to view from the Memorial Circle and Memorial Bridge, and it does give this sweep-up which is true of Iwo Jima, Suribachi. It seemed to me that advantage would be lost if we moved the memorial back where it was originally.

CHAIRMAN FINLEY: Is that the highest point where the monument is located?

GENERAL EDSON: Approximately, and it takes the best advantage of the contour of the ground and, from our standpoint, reduces the money cost of fill and things of that sort, which is a material item.

MR. PEASLEE: There is a photograph showing the foreground, how that sweeps up. In fact, here is a whole series of photographs which you might like to have.

MR. de WELDON: I thought we were raising the ground only two feet by raising it a little bit more we could even more of the sweep, more of the impression of the hill.

MR. PEETS: I had the same impression that the entire design regardless of the detailed relations, should be raised somewhat, not very much.

MR. de WELDON: To 110 feet?

MR. PEETS: To raise it that much, Felix -

MR. de WELDON: Means eight additional feet.

MR. PEETS: You would have to follow it out to see what the fill at corners would be. This is something of a technical point that can be worked out in connection with the grading plan. But I favor a general raising of something of the magnitude of three feet, let us say, but not increasing the elevation of the site of the memorial itself in relation to the parade ground. I think the two features tend to fall apart if the memorial is raised.

Referring again to the apparent complexity of the constructions around the memorial, you get an exaggerated idea of their visual importance. They are all <u>low</u>. The space in which the sculpture stands would not be limited by the three-step podium it is set on but would go way out to the trees that would bound the general space. So there is really not the congestion there that the air view would suggest.

MR. BELLUSCHI: I am so relieved by the fact that that formal scheme is not accepted. I see nothing but virtue in this scheme. My first reaction, of

course, is one of a little bit too much going on there but in reality I do not think that that will be so conspicuous when you are there. It seems to me that the circulation of a great many people needs to be taken care of. As to this being on center, I would like to disagree with Mr. Hudnut. You took the Piazza del San Pietro, but St. Peter's is at one end of the Piazza and the obelisk is not what makes the plaza but the San Pietro Church.

MR. HUDNUT: You missed my point. I said that the obelisk gained distinction from the position at the center, not St. Peter's.

MR. BELLUSCHI: The plaza is for St. Peter and St. Peter is at the end of that oval plaza.

MR. HUDNUT: I would like to argue that with you.

MR. BELLUSCHI: Over some beer tonight?

But I feel in reality that the majority of the people will be coming from this direction and this is a foreground for it and this becomes the dramatic point, so I do not feel that this being back, but the foreground which I think adds to the importance of this rather than diminishing. You cannot see it in section, but in studying the situation I think there is a great validity to the fact that you will see the monument at the best advantage. If you had it in the center you would see just the top and the base would not be seen and that would be a great loss. I am a little doubtful about it but when you said one of the good views of the monument would be at the lower level at this distance, then I am satisfied that even this is justifiable. So I like this very much.

CHAIRMAN FINLEY: I agree with what Mr. Belluschi has just said. I like the simplification over this plan submitted some time ago and I think it is important that the monument be on the highest point of this space.

MR. NEILD: I approve this design. I think there is lots of merit to it and I think although it is busy as a plan it would not be an actual perspective

because the background of the trees and the slopes of the monument standing out by itself are the things that are going to count mainly. I like the plan generally.

CHAIRMAN FINLEY: Do I understand that Mr. Thompson and the Park people also like it?

GENERAL EDSON: Yes. I have read this letter to Mr. Thompson over the telephone this morning and he agreed with it. He has the original which he is taking in to Mr. Wirth. He hoped to get it signed before this meeting. I will not read it into the record until it is signed because it is part of the conditions of our understanding with the National Park Service; that we had to reach a definite agreement on location, elevation, and so forth.

CHAIRMAN FINLEY: You expect Mr. Wirth will approve it?

GENERAL EDSON: Yes, I do. I am sure it will be sent in to you, sir.

CHAIRMAN FINLEY: Well, all interested parties seem to be in agreement about this.

GENERAL EDSON: I had a phone call this morning from the Washington Star, incidentally, and they asked if they could get a picture of the proposed landscape artist's and architect's plan. I told him not until after this meeting. definitely. I would like to get your reaction to that. We would like to publish it.

MR. PEETS: Publish what?

GENERAL EDSON: I had a phone call this morning from a reporter of the Washington Star asking about the Iwo Jima Memorial location and so forth. They asked if they could photograph the architect's plan, landscape layout, and so forth. I told him definitely not before this meeting and whether it could be done this afternoon would depend on the outcome of this meeting and your approval, of course.

CHAIRMAN FINLEY: And after you have the approval of Mr. Wirth.

GENERAL EDSON: Yes.

CHAIRMAN FINLEY: Any objection? Is there any objection that any sees to it?

GENERAL EDSON: It does not mean by any stretch of the imagination that this is actually the way it may develop. It is a general plan.

CHAIRMAN FINLEY: Do you think it is wise to do that?

GENERAL EDSON: I see no objection, Mr. Finley. I think it is a matter of interest. We plan now to have the ground-breaking ceremony or ceremonies on February 19 and any interest we can build up I think is all to the good.

MR. PEASLEE: Also in view of the proposal to use this tract for parking.

CHAIRMAN FINLEY: That, I understood, was not a serious suggestion, was it?

GENERAL EDSON: No. It was not.

MR. PEETS: Mr. Wirth is agreeable to having it published?

GENERAL EDSON: I think so. I will check definitely.

MR. PEETS: I always hate to see things published because it tends to make people think it must be that way.

MR. PEASLEE: We saw pictures published of the Lincoln Memorial long before its present shape.

CHAIRMAN FINLEY: I think it is decided that this is pretty much the way it will be. It is all right to publish it but if you expect to make any changes later it is better to let the public have the final design.

MR. PEASLEE: It might help in the fund-raising campaign, that is all. There is still a campaign on for funds.

CHAIRMAN FINLEY: Then —

MR. HANSON: You have one other serious problem, Mr. Finley. We have a very active young Congressman in Arlington named Broyhill. Mr. Broyhill's chief backers are some construction gentlemen over there and those gentlemen are very anxious to extract this entire Nevius Tract away from the Federal Government. I think it would be most helpful to us all not just our Foundation, but to all

pictures

people interested in the overall tract, if we could come out definitely now and state that we have planned this and it is approved in principle, that we have allocated our property as of December 15 for the Secretary of the Interior; that as of January two days ago, the Park Service approved the exact location of the monument that the Fine Arts Commission has reviewed this plan, and that this is the general plan for the War Memorial and that we do expect to go ahead and dedicate it on November 10, 1954. I think that will delay many of these activities that not only Mr. Broyhill but others have for this fine 27-acre tract.

CHAIRMAN FINLEY: I think the Commission would like very much to see a stop to the discussion as to possible uses of the tract which has been now dedicated to, allocated to the Marines.

MR. HANSON: I think this would have a very salutary effect and be a step forward in that direction.

CHAIRMAN FINLEY: I see no objection.

MR. de WELDON: I make a move that Mr. Peaslee's plan shall be approved (Plan No. 7).

MR. BELLUSCHI: Second.

MR. PEETS: Second.

MR. NEILD: Second.

CHAIRMAN FINLEY: Is there any further discussion? All in favor say aye; opposed, no. (The motion was then put to a vote and unanimously carried.)

CHAIRMAN FINLEY: The plan is approved.

MR. PEASLEE: Mr. Chairman, in the preliminary discussions with the National Park Service, having been a long-time supporter of both commissions, I made issue that the plans be submitted to both the Fine Arts and the Planning Commission; and I am to present them to the Planning Commission tomorrow afternoon, and that will be a session open to the press so that it will probably come out.

MR. PEETS: I would like to have Mr. Peaslee present to us the factor of the continuing validity of the plan (presented to us by Mr. Thompson) which showed the location of the carillon tower at the south side of this property with implications of a design relationship between it and the memorial. Mr. Peaslee feels that the proposal to have the tower on the Nevius tract has not definitely been disposed of. Personally, I feel that the proposal to put it there is such a faulty one that I do not stay awake nights worrying about its being accomplished, but no doubt this Commission should understand what the present situation is and what Mr. Peaslee's views are.

CHAIRMAN FINLEY: We would like to hear from Mr. Peaslee.

MR. PEASLEE: In the correspondence which was received from the Park Service, and the contract between the Foundation and the Park Service, this drawing accompanied the material. Now, I am going to read certain quotations from it. There is a space four hundred feet wide reserved for the extension of the Mall and that four hundred feet cuts just about through the center of our entrance circle, so there is a slight overlap but that is agreeable to the National Park Service. I talked with Mr. Thompson about the monumental central treatment in the drawing submitted to the Fine Arts Commission. I reminded Mr. Thompson that, in all our efforts to regain control of the Nevius Tract, both the Fine Arts and Planning Commissions advocated the need of preserving the wooded hillside on the Virginia shore as the background of the Lincoln Memorial. That is the argument which we used against the apartment hotel. We swallowed the Veterans hospital because that was to be less conspicuous than the hotel, but still we talked about preserving that hillside. As a point of beginning, I asked whether we should not agree as to this central tract five hundred feet wide, one third of the tract--which is two-fifths slope and

three-fifths more or less plateau--that the slope at least should be preserved without any formal development but as a background. Mr. Thompson said, "I will agree to that."

Now that disposes of the center front. Observe that on the upper level of this center is marked, "Reserved for Possible Memorial;" and on the left side, a space, about three hundred feet wide, is marked, "This area reserved for Bell Tower." There are three Marine Memorial sites shown: Mr. Peets' site (B) was labeled, "Area site considered by Fine Arts Commission prior to approval of site A." The Park Service's site (A) is marked, "Area Site approved by the Fine Arts Commission (general) December 17, 1953." A third site, (C), is the site suggested by the National Park Service currently and that third site east of A, is the one which I have developed. Since these sites have been placed on record with the Foundation, you should have that same information as you are involved in site approvals, and this is an official document. This is just bringing you up to date information which you have requested.

MR. PEETS: Do you suggest any action on our part?

MR. PEASLEE: I am not suggesting anything.

CHAIRMAN FINLEY: I wonder if in the motion approving this plan, site, we ought to say that on reconsideration, this later site is approved by the Commission, rather than the one that was considered in December 17. Do you think that would clear the record?

MR. PEASLEE: I am satisfied with your action so far. I think that is all that is necessary unless you want to pursue this subject of your previous discussion as to any other development.

MR. BELLUSCHI: I wonder if it would be proper to enter into the point of disapproving that Park Service Plan and give them a reason for which, reasons which are really basic. Here you have a monument and you treat it as a decorative piece of landscaping pottery, so to speak. The attention will be focussed

on that plateau higher up and then on one side you have the carillon tower and the other side you have the monument which then loses all power and it seems to me that if we go on record giving the reasons for it, we might perhaps save some embarrassment later on.

CHAIRMAN FINLEY: We never approved putting the carillon tower there.

MR. PEETS: No.

CHAIRMAN FINLEY: We only approved a suggested site for the Marine monument, but reserved any judgment as to the other plan submitted by the Park Service.

MR. HUDNUT: They are just accessory to a monument, too, and this is accessory to the parade ground.

MR. BELLUSCHI: One is flat as part of the ground and is not something that sticks up, man-made.

MR. HUDNUT: The distinction is very subtle.

MR. PEASLEE: There is one other point I might mention. I was told that the Secretary of the Interior had made a definite commitment to the Netherlands Ambassador of this site in a letter written —

MR. HANSON: The letter was written the same day that the letter was written relative to the Marine Memorial. It is the view of the Park Service, I understand, that they believe you have approved that general plan as a whole, not just the Marine Memorial.

CHAIRMAN FINLEY: I think we should make that clear.

MR. HANSON: They take your letter as saying that.

MR. CAEMMERER: Who, the Park Service?

MR. HANSON: Yes.

MR. CAEMMERER: That is a mistake because our letter to the Park Service stated distinctly that this Commission was in general agreement — general agreement.

MR. HANSON: That's right.

MR. CAEMMERER: Because Mr. de Weldon's model shows the location exactly. The Commission agreed generally on this location but left everything else for future consideration.

MR. HANSON: My only point there, gentlemen, is as to what they think your letter said.

MR. CAEMMERER: Who is "they"? Is that the Park Service?

MR. HANSON: Yes, sir.

MR. CAEMMERER: It seems strange they do one thing one day and another thing the next. I talked to several of the Park Service officials. They submitted that plan, drew it practically overnight, and brought it to our Commission meeting on December 17th. There had been no chance to check it.

MR. BELLUSCHI: I do not think we were explicit enough at that time, as I remember, in saying what we approve or disapprove, so I think that they perhaps take the assumption that we approved it which might not be so far-fetched as it sounds. That is why I wish that we had at least made ourselves clear that that would be very bad development of the Nevius Tract.

MR. HANSON: It did present us a considerable problem, I want you to know that.

CHAIRMAN FINLEY: I think now we ought to write a letter to the Secretary of the Interior saying that we have considered this plan--Marine Memorial No. 7--submitted today and have approved it. We considered the site suggested as a better one for the monument than the one shown to us on December 17, as to which we approved the site only of the Marine Memorial, and that the Commission has never considered or passed judgment on the location of other memorials on the Nevius Tract — make that clear in the letter.

MR. BELLUSCHI: I think so.

MR. PEETS: Yes.

MR. CAEMMERER: We will do that, Mr. Finley.

MERIDIAN HILL PARK

CHAIRMAN FINLEY: Now, would you like to say something, Mr. Peaslee, about the desirability of placing the carillon on some other site, such as Meridian Hill Park?

MR. PEASLEE: I will be glad to answer any questions.

CHAIRMAN FINLEY: That has been one of the sites suggested and you had so much to do with the development of that park that I think the Commission would be glad to have your views.

MR. PEASLEE: This is regarded as a closed issue. I was told that preparations are going ahead for the design of this tower for this site on the Nevius Tract with the implication that it will be up there within a couple of years. As far as Meridian Hill is concerned, I have discussed that possibility with Mr. Peets from time to time. I had three sites in mind. There is a long mall, in perspective, and there is a cross walk at the north end over here with 15th Street winding around the terrace with a fountain on the line of 15th Street. The first site was at the north end of the Mall about where the present tower is placed. Then there is the statue of Jeanne D'Arc in the center of this big terrace with a place north of the terrace at the Mall end for a concert pavilion which never materialized. This park began with the idea of being something like the Pincian Hill with place for concerts in the afternoon; but somehow that faded out just as Mrs. Taft's project for concerts in East Potomac Park faded out about 1910. The Jeanne D'Arc statue is misplaced because from below, looking up the cascade, you see the horse's head looking over a fence as though it were in a barn yard. The Fine Arts Commission is on record as agreeing that the statue is out of place and recommending that it be placed in the lower garden at the entrance from 16th Street in a more intimate position. If the

equestrian statue were moved, the tower might go back of the big terrace where the concert pavilion had been located. The Fine Arts Commission is on record with a long series of recommendations which have never been carried out. I had them all in mimeograph form for your use. I do not know whose responsibility it is to follow through. There are mall walks, one of which is usable only in the morning and the other, in the afternoon. The Commission recommended that the mall be lined with trees so that both sides could be used morning and afternoon. A number of such suggestions have been lost sight of. Another site was considered over at the east end of the large terrace. This is not feasible because the space between the terrace and the street is too crowded; while on the terrace there is a big fountain there like at the Villa Medici. The site favored by Mr. Peets, and I think it could be worked out, is off axis on an oval corner of the terrace. Now, there is a little architectural problem of doing a tower on that kind of a line, hitching it on a curve, but it is the only place I could see where it could be used if it is put there at all. So there are those three sites and I would like to have your opinion on these before I get farther along. I would be glad to submit at another meeting of the Commission, if it is not too late, the plan of the park with the plans and the elevation of the great terrace to show how a tower might relate to those three points.

CHAIRMAN FINLEY: You mean you could do that at the next meeting of the Commission?

Mr. Peaslee: I think so.

MR. de WELDON: Perhaps when you go to Meridian Hill Park Mr. Peaslee might join us.

CHAIRMAN FINLEY: We thought we would go there at three o'clock and view the park.

MR. PEASLEE: I hope Mr. Caemmerer can put his fingers on that report which was prepared after discussions and many trips of the Fine Arts Commission of

Meridian Hill, with the consensus of the landscape architects, the sculptors and the architects as to what should be done to perfect that design. I was 25 years in building up to that point. We can't seem to get the statue off the terrace nor anything more done constructively.

CHAIRMAN FINLEY: Would it be better to wait until the next meeting so you would have the plans and Mr. Peaslee could have his plans and we could consider Meridian Place?

MR. CAEMMERER: Mr. Peaslee, let me say this: somebody has to have legislation enacted to permit the erection, of, say, this bell tower.

MR. PEASLEE: I do not know about that. I understand the Secretary regards that as a commitment of a former President to a foreign government.

MR. CAEMMERER: That happened one hundred years ago when the President wanted to give to Portugal a site for a diplomatic building near the White House and the Attorney General overruled that distinctly. I am sure they have to have legislation.

CHAIRMAN FINLEY: I think there is no great hurry about the Bell Tower so that if we can see the plans —

MR. CAEMMERER: We will get all that ready.

CHAIRMAN FINLEY: And have it for the next meeting and if you could go with us, Horace, to the site, we would be delighted to have you.

Thank you, gentlemen, very much.

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

February 2, 1954

Dear Colonel Gaynor:

The Commission of Fine Arts, at their meeting on January 28, 1954, considered the design that you submitted for a decoration to be known as the National Security Medal. The Commission approved the design subject to the submission of a model which, it is understood, is being made by the Heraldic Division of the Department of Defense.

The Commission also approved a device involving two minor details, namely, that in the event of a second award of this medal, a small device be applied to the ribbon; and if awarded for valor, a wreath would be applied to the ribbon. The Commission approved these designs also.

For The Commission of Fine Arts:

Sincerely yours,

David E. Finley,
Chairman.

Colonel Robert M. Gaynor, Chairman,
Central Intelligence Agency,
Honor Awards Board,
Washington 25, D. C.

EXHIBIT D

C O P Y

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
Washington 25, D. C.

January 27, 1954

My dear Mr. Finley:

This is in reply to Mr. Caemmerer's letter of November 23, 1953, transmitting copies of a report which the Commission proposes to present to the Chairman of the House Committee on Education and Labor on H. R. 5397, "To provide for the establishment of a National War Memorial Arts Commission, and for other purposes."

A copy of the Bureau of the Budget report to the House Committee on Education and Labor on H. R. 5397 is enclosed for your information. While there is no objection to the submission of such report as you deem appropriate, you are advised that the Bureau of the Budget is recommending against enactment of the proposed legislation for the reasons stated in the enclosure.

Sincerely yours,
Sgd. Roger W. Jones
Assistant Director for
Legislative Reference

Honorable David E. Finley
Chairman, The Commission
of Fine Arts
Washington 25, D. C.

Attention: Mr. H. P. Caemmerer
7000 South Interior Building

Enclosure:
Copy Budget's letter to
Committee Chairman

EXHIBIT E

COPY

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
Washington 25, D. C.

January 27, 1954

My dear Mr. Chairman:

This is in reply to Mr. John O. Graham's letter of October 21, 1953, requesting a report on H. R. 5397, "To provide for the establishment of a National War Memorial Arts Commission, and for other purposes."

This bill would establish a Commission to be known as the National War Memorial Arts Commission. The Commission would be composed of the President of the United States, ex-officio as Chairman, other representatives of the Executive Branch, certain members of the two Houses of Congress, and "fifteen eminent citizens." Among other things, the Commission would be authorized and directed to develop and encourage national policy for the promotion of, and education in, the fine arts; to initiate and support activities in the fine arts through grants, loans, and other forms of assistance and to appraise the impact of such activities on general welfare and cultural development; to award scholarships and graduate fellowships in the fine arts; to foster interchange of information among artists at home and abroad; to evaluate and coordinate fine arts programs, undertaken by the Federal Government; to establish and maintain a National War Memorial Theater and Opera House in the Nation's Capital; to employ artists and other personnel; to assist financially and otherwise in the preparation and presentation of fine arts programs and productions, and to establish such special commissions as may from time to time be deemed necessary by the Commission.

H. R. 5397 would establish a Director of the Commission who would be appointed by the President with the advice and consent of the Senate. The Director would receive a salary of $15,000 per year. He would be responsible for carrying out the policies of the Commission. There would be established within the Commission, "unless and until otherwise provided by the Commission," ten divisions each covering an area of the arts. For each division there would be appointed a divisional committee of not less than 9 persons, the members of which may be either members or nonmembers of the Commission. Special commissions authorized by the bill to survey fine arts activities and make recommendations would consist of eleven members.

Appropriations would be authorized in such sums as are necessary to carry out the purposes of the bill as well as whatever sums are necessary to complete the Carter Barron Amphitheater of the District of Columbia so as to protect audience and performers from inclement weather.

The bill would authorize the Federal Government to finance activities in the arts on a continuing basis in a number of ways.

EXHIBIT E

In addition to authorizing the financing of two construction projects in the District of Columbia, the bill would authorize financial support of activities in the fine arts through grants, loans, scholarships, fellowships, other forms of assistance, and through the direct employment of artists and other personnel. The Commission would also be directed to establish and maintain a theater and opera house in the District of Columbia.

This administration heartily supports efforts to encourage and stimulate the fine arts. The degree to which the Federal Government can or should go so far as to initiate and financially support projects such as those indicated in this bill requires very careful consideration from many viewpoints. This is especially necessary because of the comprehensive character and wide scope of the bill and the drastic change from past activities of the Federal Government in such fields which would be contemplated by the bill.

Under the bill a new and separate agency would be established in the Executive Branch. As you know, the administration is interested in simplifying the organization of the Executive Branch. To the extent the Federal Government should engage in the activities specified in the bill, it would appear preferable to give authority for them to an existing department or agency whose present functions are most closely related to those proposed in the bill.

The broad scope of responsibilities which would be assigned to the proposed commission presents questions about the appropriate role of the Federal Government in education and the degree to which it should attempt to evaluate and influence the cultural and artistic development of the Nation. As you know there has been created, in accordance with a resolution of the Congress, the Commission on Intergovernmental Relations which is charged with studying and making recommendations as to the proper role of the Federal Government in relation to the State and local governments. The Committee may wish to have the benefit of the findings of the Commission before taking action on the proposed legislation.

While the purposes of the bill are commendable, the Bureau of the Budget recommends against enactment of H. R. 5397 in view of the current budgetary situation and for the reasons stated above.

Sincerely yours,

Sgd. Rowland Hughes
Deputy Director

Honorable Samuel K. McConnell, Jr.
Chairman, Committee on Education
and Labor
House of Representatives
429 Old House Office Building
Washington 25, D. C.

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

November 17, 1953

Dear Mr. Graham:

I have received your letter of October 21, 1953, enclosing a copy of H. R. 5397, "To provide for the establishment of a National War Memorial Arts Commission and for other purposes." In accordance with your request, the members of the Commission of Fine Arts have given careful consideration to the bill and have asked me to make the following report as embodying their views on the proposed legislation.

The Commission noted that the bill provides for the erection of a National War Memorial Theater and Opera House in Washington. The Commission is glad to indorse this proposal, as, in their opinion, a community music center in the city of Washington is greatly needed. The Commission feels that the Federal Government would be justified in erecting such a building, and hopes that it may be done. It is assumed that, if and when such a building is authorized, its construction would be accommodated within the fiscal and budgetary policies of the President and the Congress.

As regards constructing a roof on the Carter Barron Amphitheater in Rock Creek Park, the Commission feels that we are not in a position at this time to express an opinion as to the desirability of carrying out this plan. The members of the Commission will be glad to consider the matter and to express an opinion if and when a design for such a roof is submitted to the Commission by the National Capital Parks, which has responsibility for operating the amphitheater.

The Commission would be happy to see a suitable building erected for the National Collection of Fine Arts, now inadequately housed in the National Museum. The Commission also hopes that funds may be provided for the National Collection of Fine Arts, so that it may purchase annually the best works of contemporary artists, especially American artists, and may make them available to all parts of the country by means of traveling exhibitions. This would accomplish one of the purposes of the bill, by encouraging American artists and making their works better known.

EXHIBIT E-1

The Commission feels that the best interest of the arts would not be promoted by the establishment of a National War Memorial Arts Commission, such as is contemplated in the bill. Many of the duties to be assigned to this Commission are now being carried out efficiently by existing Government agencies. It would be a mistake, therefore, in the opinion of the Commission to attempt to concentrate so many of these duties in one agency with the responsibility for the expenditure of large amounts of government funds, as provided in the bill. The views of the Commission, with reference to this and other matters, are set forth at greater length in the "Report to the President on Art Activities of the Federal Government", which the Commission has submitted to the President. Copies of the Report have also been sent to members of Congress and additional copies are enclosed herewith for the use of the Committee.

For the Commission of Fine Arts:

Sincerely yours,
Sgd.
David E. Finley,
Chairman.

Mr. John O. Graham
Chief Clerk
Committee on Education and Labor
House of Representatives
Washington 25, D. C.

DEF:pav

83D CONGRESS
2D SESSION

H. R. 7185

IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 1954

Mr. HOWELL introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the establishment of an American National War Memorial Arts Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American National Arts Act".

TITLE I—THE AMERICAN NATIONAL WAR MEMORIAL ARTS COMMISSION

STATEMENT OF FINDINGS AND POLICY

SEC. 101. (a) The Congress hereby finds (1) that great contributions can be and are being made by the fine arts to the morale, health, and general welfare of the Nation, and (2) that the city of Washington, since its establishment

EXHIBIT E

as the Nation's Capital in 1800, has never had a suitable theater and music center commensurate with its position of leadership among the free nations of the world. The Congress, recognizing the fact that man cannot live by bread alone, further finds that an education which includes the humanities is essential to political wisdom, and that in the world of today, as we face the persistent problems of men and defend and attempt to add stature to the ideals and principles of free men and of free institutions, the relevance of the humanities to our task is unquestionable, for it is the humanities, more than science or statistics, which provides the real answer to communism.

(b) It is therefore declared to be the policy of the Congress and the purpose of this Act (1) to encourage the growth and development of the fine arts throughout the United States for the purpose of developing greater knowledge, understanding, and practice of the fine arts; (2) to increase the accessibility of the fine arts to all age groups in our population and to raise the standard of execution of the fine arts, by professionals and amateurs alike, throughout the Nation; (3) to establish in the executive branch of the Government a Federal agency to advise and cooperate with public and private agencies and organizations operating in the field of the fine arts on all matters directly or indirectly concerned with these objects; (4) to provide

for the establishment, maintenance, and operation in the Nation's Capital of a suitable theater and music center dedicated to the fuller growth and development of the fine arts throughout the United States and designed for use by the National War Memorial Arts Commission in the presentation of fine arts programs; (5) to encourage the development of strong American theatrical and musical arts through maximum use of the English language in productions assisted under this Act; (6) to promote the progress of the useful arts; (7) to carry out the programs authorized by this Act in such a way as will best assist in stimulating the development of American art and rewarding the outstanding talent which develops; (8) to encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act; (9) to encourage and assist in the development of the creative and fine arts for children, and to increase and enlarge the opportunities for the participation of children in the fine arts; (10) to encourage and assist in the development of the creative arts for older persons, as a vitally important part of the adult programs in the fine arts, and to increase and enlarge the opportunities for the participation of older persons in the fine arts; (11) to encourage and assist in surrounding our houses, grounds, towns, and cities with a maximum of beauty; (12) to encourage and assist the fur-

ther growth and development of town, city, and regional planning; (13) to encourage and assist in the development and growth of increased collaboration and cooperation between artists working in the various fields of the arts, as well as in greater coordination of the various arts; (14) to advance the progress of general education and public understanding of the importance of the liberal and fine arts to our form of government; and (15) to stimulate private, business, foundation giving to the fine arts.

ESTABLISHMENT OF THE COMMISSION

SEC. 102. There is established a commission to be known as the American National War Memorial Arts Commission (hereinafter referred to as the "Commission") and to be composed of—

(1) the President of the United States, ex officio, who shall be Chairman; the Chairman of the Senate Committee on Labor and Public Welfare and the Chairman of the House Committee on Education and Labor (either of whom may, if unable to serve in person, designate another member of his committee to serve as a member of the Commission in his stead) ; the ranking minority member of the Senate Committee on Labor and Public Welfare and of the House Committee on Education and Labor; and the following persons or their designees: the Secretary of Defense; the Secretary of the Interior; the Secretary of State; the Administrator

of General Services; the Librarian of Congress; the Public Printer; the Director, Bureau of Engraving and Printing, and the Director, Bureau of the Mint of the Department of the Treasury; the Chairman of the Commission of Fine Arts; the Secretary of Health, Education, and Welfare; the Chairman of the Board of Commissioners of the District of Columbia; the Chairman of the National Capital Planning Commission; the Housing and Home Finance Administrator; the Director of the United States Information Agency; the Secretary of Agriculture; the Chairman of the Federal Communications Commission; the Secretary of the Smithsonian Institution; and, in addition,

(2) twenty-four eminent citizens to be appointed by the President, by and with the advice and consent of the Senate and (except in the case of appointments made prior to the first meeting of the Commission) with the approval of the Vice Chairman of the Commission. The persons so appointed shall be eminent in the fields of the fine arts, education, recreation, and public affairs, and at least six of such persons shall be drawn from the fields of fine arts, education, and recreation for children. Such persons shall be selected (A) solely on the basis of established records of distinguished service, (B) so as to insure that each of the eight divisions of the

Commission provided for in section 107 will be represented by three members who have particular experience and knowledge in the field of the fine arts within the jurisdiction of that division, and (C) so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The President is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to him by the National Music Council, the Committee on Government and Art, the Music Educators National Conference, the American Council of Learned Societies, the American Library Association, the American Federation of Labor, the American Educational Theater Association, the American National Theater and Academy, the Association of American Colleges, the National Recreation Association, the National Art Education Association, the American Council on Education, the National Citizens' Committee for Educational Television, and other organizations and institutions in the fields of the fine arts, education, recreation, and public affairs. The term of office of each member appointed under this paragraph shall be six years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be ap-

pointed only for the remainder of such term; and (B) the terms of office of the members first appointed shall expire, as designated by the President at the time of appointment, eight at the end of two years, eight at the end of four years, and eight at the end of six years, after the date of the enactment of this Act. Any person who has been a member of the Commission for six consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such sixth year. Any member of the Commission appointed under this paragraph shall, notwithstanding the expiration of his term, continue as a member until the qualification and appointment of his successor. Not more than thirteen of the persons appointed under this paragraph shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable.

FUNCTIONS AND DUTIES OF THE COMMISSION

SEC. 103. (a) The Commission is authorized and directed—

(1) to develop and encourage the pursuit of a national policy for the promotion of, and for education in, the fine arts by all age groups in our population;

(2) to initiate and support both professional and

amateur activities in all fields of the fine arts by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of activities in the fine arts, and to appraise the impact of such activities upon the general welfare and the cultural development of the Nation;

(3) at the request of the head of any department, agency, or independent establishment of the Federal Government, or of the Board of Commissioners of the District of Columbia, to initiate and support specific fine arts activities in connection with matters relating to the general welfare and the cultural development of the Nation by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such fine arts activities;

(4) to award, as provided in section 10 (4), scholarships and graduate fellowships in the fine arts;

(5) to foster the interchange of fine arts information among professional and amateur artists (both individuals and organizations) in the United States and those in foreign countries, and between the Federal Government and governments of foreign countries;

(6) to evaluate fine arts programs undertaken by agencies of the Federal Government, and to correlate the fine arts program of the Commission with similar

programs and activities undertaken by individuals and by public and private professional and amateur fine arts groups;

(7) to establish, maintain, and administer in the Nation's Capital a theater and music center to be known as the American National War Memorial Theater and Music Center, to be constructed in accordance with section 10 (2) and used in the development of the fine arts as provided in section 10 (5);

(8) to employ artists and other personnel and generally to do such things and have such other powers as may be necessary to encourage the development of contemporary art and effect the widest distribution and cultivation of such art by professionals and amateurs alike;

(9) to assist financially and otherwise in the preparation and presentation of professional and amateur fine arts productions and programs which contribute to the achievement of the purposes of this Act and which are prepared and carried on by Federal, State, county, and municipal agencies and authorities, by accredited nonprofit colleges and universities, and by other nonprofit organizations in the field of the fine arts; and

(10) to establish such special commissions as the

Commission may from time to time deem necessary for the purposes of this Act.

(b) In exercising the authority and discharging the functions set forth in subsection (a) it shall be one of the objectives of the Commission to strengthen professional and amateur activities, study, and education in the fine arts by all age groups in our population, including independent work in the fine arts in all parts of the United States, including its Territories and possessions, and to avoid undue concentration of such activities, study, and education. The Commission shall encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act.

(c) In making contracts or other arrangements for fine arts programs and productions the Commission shall utilize appropriations available therefor in such manner as will in its judgment best realize the objectives of (1) having the work performed by organizations, agencies, institutions, and individuals in the United States (including Government agencies of the United States) qualified by training and experience to achieve the results desired, (2) strengthening the fine arts staff of organizations, particularly nonprofit organizations, in the States, Territories, possessions, and the District of Columbia, (3) aiding those institutions, agencies, organizations, and State, county, and municipal govern-

ments which, if aided, will advance the development of the fine arts, and (4) encouraging independent work in the fine arts by individuals.

(d) The Commission shall render an annual report to the President for submission on or before the 15th day of January of each year to the Congress, summarizing the activities of the Commission and making such recommendations as it may deem appropriate. Such report shall include minority views and recommendations, if any, of members of the Commission.

ORGANIZATION OF THE COMMISSION

SEC. 104. (a) As soon as practicable after the date of the enactment of this Act, the President shall call the first meeting of the Commission, and the first order of business at such meeting shall be the election of a Vice Chairman. The Vice Chairman shall be elected for a term of two years and shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the vice chairmanship, the Commission shall elect a member to fill such vacancy.

(b) The Commission shall meet quarterly and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Commission shall constitute a quorum. Each member appointed under paragraph (2) of section 2 shall be given notice, by registered mail mailed to his last-known address of record

not less than fifteen days prior to any meeting, of the call of such meeting.

DIRECTOR OF THE COMMISSION

SEC. 105. (a) There shall be a Director of the Commission who shall be appointed by the President by and with the advice and consent of the Senate. The Commission may make recommendations to the President with respect to the appointment of the Director, and the Director shall not be appointed until the Commission has had an opportunity to make such recommendations. He shall serve as a nonvoting ex officio member of the Commission. In addition thereto he shall be the chief executive officer of the Commission. The Director shall receive compensation at the rate of $15,000 per annum and shall serve for a term of six years unless sooner removed by the President.

(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Commission, exercise the powers granted by section 10 of this Act, together with such other powers and duties as may be delegated to him by the Commission.

THE EXECUTIVE COMMITTEE

SEC. 106. (a) The Commission shall appoint from among its members an Executive Committee, and assign to the Executive Committee such of the powers and functions

granted to the Commission by this Act as it deems appropriate; except that the Commission may not assign to the Executive Committee the function of establishing policies.

(b) (1) The Executive Committee shall be composed of the Vice Chairman of the Commission, who shall be Chairman of the Executive Committee; the Director, who shall be a nonvoting ex officio member; the Secretary of Health, Education, and Welfare; the Chairman of the National Capital Planning Commission; the Chairman of the Board of Commissioners of the District of Columbia; the Secretary of the Smithsonian Institution; the Secretary of the Interior; the Housing and Home Finance Administrator; the General Services Administrator; the Chairman of the Commission of Fine Arts; the Librarian of Congress; and sixteen members of the Commission selected from among the persons appointed under paragraph (2) of section 102. The sixteen members of the Committee who were appointed to the Commission under paragraph (2) of section 102 shall, so far as practicable, be representative of diverse interests and chosen so as to provide representation for all areas of the Nation.

(2) The Executive Committee shall render a quarterly report and an annual report to the Commission, and such other reports as it may deem necessary or the Commission may require, summarizing its activities and making such

recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the Executive Committee shall be included in such reports.

(c) The Commission is authorized to appoint from among its members or otherwise such committees as it deems necessary. and to assign to committees so appointed such survey and advisory functions as the Commission deems appropriate for the purposes of this Act.

DIVISIONS OF THE COMMISSION

SEC. 107. (a) Unless and until otherwise provided by the Commission, there shall be within the Commission the following divisions:

(1) A Division of Music,

(2) A Division of Drama, Poetry, and Speech,

(3) A Division of Ballet and other forms of dance,

(4) A Division of Literature, Libraries, new writing, and composing,

(5) A Division of Architecture, Landscape Architecture, City and Regional Planning, and Civic Art and Design,

(6) A Division of Painting and Sculpture, Interior Design and Decoration, Printing, Engraving, Still Photography, and Other Graphic and Plastic Arts,

(7) A Division of Educational and Artistic Motion Pictures, and

(8) A Division of Educational and Artistic Radio and Television.

(b) There shall also be within the Commission such other divisions as the Commission may, from time to time, deem necessary.

DIVISIONAL COMMITTEES

SEC. 108. (a) There shall be a committee for each division of the Commission.

(b) Each divisional committee shall be appointed by the Commission and shall consist of not less than nine persons who may be members or nonmembers of the Commission. At least one member of each divisional committee shall be eminent in the field of fine arts for children which is most appropriate for that particular divisional committee. Any nonmember of the Commission appointed to a divisional committee shall be a person eminent in the field of the fine arts and/or in education, recreation, or public affairs, as may be most appropriate for the particular divisional committee to which he is appointed. The membership of such committees, shall, so far as practicable, be representative of diverse interests and chosen so as to provide representation for all areas of the Nation, and in making such appointments due consideration shall be given to any recommendations which may be submitted to the Commission by leading educational organizations, and by fine arts organizations in

the particular field of the fine arts most appropriate for the particular divisional committee to which he is appointed.

(c) Each divisional committee shall annually elect its own chairman from among its own members and shall prescribe its own rules of procedure subject to such restrictions as may be prescribed by the Commission.

(d) Each divisional committee shall make recommendations to, and advise and consult with, the Commission and the Director with respect to matters relating to the program of its division.

SPECIAL COMMISSIONS

SEC. 109. (a) Each special commission established pursuant to section 3 (a) (10) shall consist of eleven members appointed by the Commission, six of whom shall be eminent in the field of the fine arts and five of whom shall be eminent in the fields of education, recreation, or public affairs, and in making such appointments due consideration shall be given to any recommendations which may be submitted to the Commission by leading educational organizations, and by fine arts organizations in the particular field of the fine arts most appropriate for the particular special commission to which he is appointed. At least one member of each special commission shall be eminent in the field of fine arts for children which is most appropriate for that particular

special commission. Each special commission shall choose its own chairman and vice chairman.

(b) It shall be the duty of each such special commission to make a comprehensive survey of fine arts activities, both public and private, being carried on in its field, and to formulate and recommend to the Commission at the earliest practicable date an overall fine arts program in its field.

POWERS OF THE COMMISSION

SEC. 110. The Commission shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this Act, including, but without being limited thereto, the authority—

(1) to appoint such clerks, stenographers, skilled and technical assistants, artists, and other personnel as may be needed in organizing and carrying out the plans of the Commission, as provided in section 112; to purchase such materials, and to contract for such labor and other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation and presentation of fine arts productions and programs;

(2) to erect a building or buildings (including a theater and music center as provided in section 3 (a)

(7)), or other structures, for its own use, on a site or sites approved by the National Capital Planning Commission, and to provide for the landscaping of such site or sites; to provide for the decoration and maintenance of such buildings, structures, sites, and grounds; to rent such space in the District of Columbia without regard to section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, as the Commission may deem necessary: *Provided*, That the erection or construction of the buildings and landscaping of sites shall be accomplished by the General Services Administration under agreements mutually acceptable to the Commission and the Federal and District of Columbia Government agencies having jurisdiction and control over the area or areas involved, and shall be approved by the National Capital Planning Commission: *Provided further*, That no building or structure shall be constructed on land belonging to or under the jurisdiction or control of any agency of the District of Columbia government without the prior approval of the Commissioners of the District of Columbia;

(3) to allot funds appropriated for the purpose of this Act to any department, agency, or independent establishment of the Federal Government with the consent of the head thereof, or to the District of Columbia government with the consent of the Board of Com-

missioners of the District of Columbia, for direct expenditure in preparing and presenting professional or amateur fine arts productions and programs approved by the Commission;

(4) to award, within the limits of funds made available specifically for such purpose pursuant to section 14 (a), scholarships and graduate fellowships for work or study in the fine arts at accredited nonprofit American or foreign institutions of higher education, selected by the recipient of such aid and approved by the Commission, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships are deemed by the Commission to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships, or fellowship or fellowships, shall be awarded to the applicants in such manner as will tend to result in the widest possible distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia;

(5) (A) to make the American National War

Memorial Theater and Music Center available without charge to any Federal, State, county, or municipal agency or authority, any accredited nonprofit college or university, or any other nonprofit organization, and to foreign organizations, groups, or individuals, for the presentation of professional and amateur fine arts productions and programs, upon request therefor made with the concurrence of the Director, and to permit charges for admission to such programs to be made. In making the American National War Memorial Theater and Music Center available for the presentation of such productions and programs to such agencies, authorities, institutions, and organizations the Commission shall not, except as provided in this Act and as determined by the Commission, incur any financial responsibilities except those incidental to the furnishing of heat, light, and other services necessary for such productions and programs. The Commission shall maintain a worthy standard for the fine arts productions and programs presented in the American National War Memorial Theater and Music Center and, through the public presentation of such productions and programs in the Nation's Capital and also in other parts of the country and in foreign countries, shall foster and encourage a growing appreciation of the fine arts, both past and contemporary;

(B) to develop and carry on in the American National War Memorial Theater and Music Center a worthy fine arts program, including opera and other forms of music, ballet and other forms of dance, and drama, including programs in these arts especially designed for children; to produce and present productions and programs of music, dance, and drama, both professional and amateur, in the American National War Memorial Theater and Music Center and in such other parts of the country and in such foreign countries as the Commission may decide upon; and to fix and collect charges for admission thereto: *Provided,* That all revenues received by the Commission from such admission charges shall be covered into the Treasury of the United States to the credit of the appropriation authorized in section 14 (a) and may be expended and shall be accounted for in the same manner as other funds authorized for expenditure by the Commission;

(6) to accept, receive, hold, administer, and use any funds, materials, and other property donated to it (whether by gift, bequest, devise, or otherwise), if such funds, materials, or property are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Commission; to accept the services of any skilled or unskilled labor

that may be made available to it; and to accept reimbursement from public or private organizations and individuals for rights and privileges, or assistance of any kind, granted or given by it. All such donations and reimbursements shall be expended and accounted for in the same manner as the funds made available pursuant to the authorization contained in section 14 (a). Donations of money or securities shall be deposited in the Treasury of the United States as trust funds, and shall be subject to disbursement by the Commission for the purposes of this Act; except that the Commission may in its discretion place any of such money or securities in private depositaries selected by it. The Secretary of the Treasury is authorized, upon request of the Commission, to invest, reinvest, or retain investments of the money and securities composing such trust funds in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. Donations under this paragraph (and any income therefrom) shall be exempt from all Federal taxes;

(7) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(8) to make such expenditures as may be necessary for administering the provisions of this Act;

(9) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(10) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries (including other Government agencies of the United States and agencies of foreign countries), of such fine arts activities as the Commission deems necessary to carry out the purposes of this Act, and, when deemed appropriate by the Commission, such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes of the United States;

(11) to make advance, progress, and other payments which relate to fine arts activities without regard to the provisions of section 3648 of the Revised Statutes of the United States (31 U. S. C., sec. 529);

(12) to publish or arrange for the publication of fine arts information so as to further the full dissemination of information relating to the fine arts;

(13) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 5 of the Administrative Expenses Act of 1946 for persons serving without compensation;

(14) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for fine arts activities shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure of public funds and accounting therefor; and

(15) to use and occupy, for office and related purposes, space in Government-owned or leased buildings under the same conditions as may be applicable to executive departments and independent establishments in the executive branch of the Federal Government.

PARTICIPATION IN INTERNATIONAL FINE ARTS ACTIVITIES

SEC. 111. (a) The Commission is hereby authorized to cooperate and participate in any international fine arts activities consistent with the purposes of this Act and to expend for such international fine arts activities such sums

within the limit of appropriated funds as the Commission may deem desirable. The Director, with the approval of the Commission, may defray the expenses of representatives of Government agencies and other public and private nonprofit organizations, and of individual artists or groups of artists, incurred in attending accredited international fine arts festivals, events, or meetings or in performing in other countries, whenever he deems it desirable in the promotion of the objectives of this Act.

(b) (1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 10 (10), and the authority to cooperate in international fine arts activities as provided in subsection (a) of this section, shall be exercised only with the approval of the Secretary of State, to the end that such authority shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director.

PERSONNEL PROVISIONS

SEC. 112. (a) The Director, in accordance with such policies as the Commission shall from time to time prescribe, shall appoint and fix the compensation of such personnel as may be necessary to carry out the purposes of this Act, subject to the civil-service laws and regulations and the Classification Act of 1949: *Provided*, That the Director, in accordance with such policies as the Commission shall from time to time prescribe, may employ technical and professional personnel, experts and consultants, on a temporary or intermittent basis and fix their compensation in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946.

(b) The Director may appoint, with the approval of the Commission, a Deputy Director who shall perform such functions as the Director, with the approval of the Commission, may prescribe, and who shall be Acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director.

(c) Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Commission, hold any office in, or act in any capacity for, any organization, agency, or

institution with which the Commission makes any contract or other arrangement under this Act.

(d) Each member of the Commission and each member of a divisional committee or special commission not holding other office in the Federal Government shall receive compensation at the rate of $25 for each day he is actually engaged in the business of the Commission pursuant to authorization of the Commission, and shall be allowed travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946.

(e) Persons holding other offices in the Federal Government may serve as members of the divisional committees and special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

RELATIONS WITH OTHER FEDERAL AGENCIES

SEC. 113. The heads of the departments, agencies, and independent establishments of the Federal Government, and the Commissioners of the District of Columbia, are authorized to cooperate with the Commission, to appoint such draftsmen and other skilled assistants as may be necessary, to contract for such labor and other services as may be deemed necessary, and to designate officials or employees in their respective spheres to assist the Commission. The

Commission shall make reimbursement, upon such terms as may be agreed to by it and the department, agency, or independent establishment concerned, or the Board of Commissioners of the District of Columbia, for personnel and services furnished or made available to assist the Commission under this section.

AUTHORIZATION AND EXPENDITURE OF FUNDS

SEC. 114. (a) There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to carry out its powers and duties under this Act.

(b) Appropriations made pursuant to the authority contained in subsection (a) shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

(c) All purchases, expenditures, and disbursements of moneys made available by authority of this Act shall be made under the direction of the Commission in accordance with law. All accounts and vouchers covering the expenditures shall be approved by the Director or by such other persons as he may designate, except for such allotments as may be made to the various departments, agencies, and independent establishments, or to the District of Columbia Government, or to State, county, or municipal governments,

or to civic nonprofit organizations, or to accredited nonprofit colleges and universities, for direct expenditure in accordance with section 10 (3) ; but nothing in this Act shall be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit.

(d) Appropriated funds available to any department or agency of the Government for fine arts work, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Commission for such use as is consistent with the purposes for which such funds were provided, and funds so transferred shall be expendable by the Commission for the purposes for which the transfer was made, and, until such time as an appropriation is made available directly to the Commission, for general administrative expenses of the Commission without regard to limitations otherwise applicable to such funds.

SPACE FOR FINE ARTS PRODUCTIONS AND PROGRAMS IN THE DISTRICT OF COLUMBIA

SEC. 115. Upon the request of any accredited nonprofit college or university, or any other nonprofit organization, and with the approval of the Commission, the District of Columbia government is authorized to make available, to

such college, university, or nonprofit organization, for the presentation of professional and amateur fine arts productions and programs under this Act (including the sale of tickets of admission thereto), any suitable space subject to the jurisdiction and control of the District of Columbia government, with the concurrence of the Commissioners of the District of Columbia. In providing suitable space for the presentation of such productions and programs the District of Columbia government shall not incur any financial responsibilities. Such space shall be made available without charge, except that the college, university, or nonprofit organization making use of the space shall reimburse the District of Columbia government for heat, light, and custodial and other services provided by it in connection with the presentation of such productions and programs.

PRODUCTIONS TO BE IN ENGLISH

SEC. 116. All opera and drama productions and programs presented by or under any arrangement with the Commission, with the exception of performances by visiting foreign companies, shall be presented in the English language to the maximum extent practicable. Suitable translations in English shall be provided when foreign opera and drama productions are presented.

TITLE II—GRANTS TO STATES FOR THE DEVELOPMENT OF FINE ARTS PROGRAMS AND PROJECTS

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is—

(1) to assist the several States to inventory their existing programs in the fine arts of music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts, to survey the need for additional programs in these arts, and to develop programs and projects for public and other nonprofit activities in the fine arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities, and services in the fine arts to all their people;

(2) to assist in the construction of public and other nonprofit centers for music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts in accordance with such programs; and

(3) to authorize the Secretary to conduct and make grants for the conduct of research, experiments, and demonstrations relating to the effective development and utilization of facilities and resources in the fields

of the fine arts, and to encourage the presentation in all parts of the country of productions and programs in every field of the fine arts.

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. In order to assist the States in carrying out the purpose of this title and the purpose of this Act, there are hereby authorized to be appropriated for the fiscal year 1954 and subsequent fiscal years such sums as may be neccessary for the effective development of public and other nonprofit fine arts programs and projects.

STATE PLANS

SEC. 203. (a) Any State which desires to take advantage of the benefits of this title may submit a State plan for carrying out the purpose of this title. Such State plan must—

(1) designate the State department of education or a similar State agency selected by the Governor (hereinafter in this title referred to as the "State agency") as the sole agency for the administration, supervision, and control of the State plan;

(2) contain satisfactory evidence that the State agency will have authority to carry out such plan in accordance with this title;

(3) provide that the State treasurer (or, if there is no State treasurer, the officer exercising similar

functions for the State) be appointed as custodian of funds received under this title from the Federal Government and receive and provide for the proper custody of such funds;

(4) set forth the program, policies, and methods to be followed in carrying out the State plan and in its administration and supervision;

(5) contain adequate assurances that high standards will be maintained for the fine arts programs and projects assisted under this title;

(6) provide for such methods of administration as the Secretary deems necessary for the proper and efficient administration of the plan;

(7) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may find necessary to assure the correctness and verification of such reports;

(8) provide such rules, regulations, and standards with respect to expenditures of funds made available under this title as the Secretary may find reasonable and necessary; and

(9) provide that the State agency will from time to time review its fine arts programs and projects and sub-

mit to the Secretary any modifications thereof which it considers appropriate.

(b) The Secretary shall approve any State plan and any modification thereof which he believes to be feasible and which complies with subsection (a).

(c) No changes in a State plan shall be required within two years after the initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in regulations prescribed by the Secretary, except with the consent of the State or in accordance with further action by the Congress.

(d) The State plan may include standards for determination of the Federal share of the cost of fine arts programs and projects approved in the State. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria) for variations between programs and classes of programs, and between projects and classes of projects, on the basis of the economic and cultural status of areas, the relative need for additional programs and projects as between areas, and other relevant factors. No such standards shall provide for a Federal share of more than 50 per centum of the cost of any such program or project. The Secretary shall approve any such standards and any modifications thereof which comply with the purpose of this title and the purpose of this Act.

CONSTRUCTION PROJECTS

SEC. 204. For each project undertaken pursuant to a State plan to carry out the purpose of section 201 (2), there shall be submitted to the Secretary a special application by the State agency or by the political subdivision, institution, or organization undertaking the project. Such application shall set forth such information (including a description of the project and its plans and specifications in detail) and assurances as the Secretary may require. The Secretary shall approve such application if he determines that the project is feasible, desirable, and consistent with this Act; and no Federal funds shall be available for the project until the application has been so approved. No such application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

ALLOTMENTS TO STATES

SEC. 205. (a) Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment (as determined by the Secretary within the limits of available appropriations) to assist in defraying the cost of approved programs and projects in the fine arts within such State for that fiscal year. Such allotment shall be available, in accordance with this title, for payment of the Federal share of such cost.

(b) The Secretary shall calculate the allotments to be

made under subsection (a) and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to a State for a fiscal year under this section and remaining unobligated at the end of such year shall be made available to such State for the same purposes for the next fiscal year (and for such year only, except in the case of sums allotted to carry out the purpose of section 201 (2)) in addition to the sums allotted to such State for such next fiscal year. Any amount of the sum appropriated pursuant to the authorization contained in section 202 for a fiscal year which is not allotted in such year by reason of the failure of any State or States to have a plan approved under this title, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State under the preceding sentence, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized for such next fiscal year under section 202.

(c) For the purposes of this section, the term "Federal share" with respect to any program or project means the proportion of the cost of such program or project to be paid by the Federal Government, and shall be determined as follows:

(1) If the State plan in effect at the time of such program or project contains standards approved by the Secretary as provided in section 203 (d), the Federal share with respect to such program or project shall be determined by the State agency in accordance with such standards;

(2) If the State plan does not contain such standards, the Federal share shall be the amount, not more than 50 per centum of the cost of the program or project involved as established by the State agency, determined by the Secretary at the time he approves the State plan.

WITHHOLDING OF CERTIFICATION

SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds—

(1) that such agency is not complying substantially with the provisions of this title or the terms and conditions of its State plan approved under this title;

(2) that any funds paid to such agency under this title have been diverted from the purposes for which they were allotted or paid;

(3) that any assurance given in the State plan is not being or cannot be carried out; or

(4) that adequate State funds are not being pro-

vided annually for the direct administration of the State plan,

the Secretary may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under this title with respect to such State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

DEFINITIONS

Sec. 207. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) The term "State" means a State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

TITLE III—MISCELLANEOUS PROVISIONS

THE COMMISSION OF FINE ARTS

SEC. 301. The Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (40 U. S. C., secs. 104–106), is amended to read as follows:

"That (a) a permanent Commission of Fine Arts is hereby created, to be composed of twenty-one well-qualified judges of the fine arts, who shall be appointed by the Presi-

dent, and who shall serve for a period of four years each, and until their successors are appointed and qualified. The President shall have authority to fill all vacancies.

"(b) The Commission shall consist of—

"(1) eleven members nominated by the Board of Commissioners of the District of Columbia and appointed by the President. The Board of Commissioners, in selecting such eleven members, shall give due consideration to any recommendations which may be submitted to it by the following organizations or their successors: the National Symphony Orchestra Association; the Greater Washington Music Council; the Cultural Development Committee of the Washington Board of Trade; the Washington Central Labor Union; the Board of Education; the District of Columbia Congress of Parent Teacher Associations; the American Association of University Women (Washington Branch); the Federation of Citizens' Associations; the Federation of Civic Associations; the Democratic and Republican Clubs of the District of Columbia; the District of Columbia Public Library; the District of Columbia Recreation Department; the District of Columbia Music Educators Association; the Citizen's Advisory Council of the Board of Commissioners, District of Columbia; the Franklin Typographical Society; the Washington Film Council; the

Federal Artists Group; the American Institute of Graphic Arts (Washington Chapter); the Art Directors Club of Washington; the District of Columbia Chapter, American National Red Cross; the Washington Home Rule Committee; the Central Suffrage Conference, District of Columbia; the District of Columbia Branch, National League of American Penwomen; the Artists Guild of Washington; the District of Columbia Federation of Women's Clubs; Local 161 of the American Federation of Musicians; the Washington Folk Dance Group; the Children's Theatre of Washington; the Society of Washington Artists; the American Institute of Architects (Washington-Metropolitan Chapter); the League of Women Voters of the District of Columbia; the District of Columbia Industrial Union Council, Congress of Industrial Organizations; the Department of Agriculture Symphony Orchestra; the District of Columbia Federation of Music Clubs; the Friday Morning Music Club; the Workshop Center of the Arts; the Arena Stage; the drama, music, and other fine arts departments of the Catholic University of America, American University, Howard University, George Washington University, and Georgetown University; the Arts Club of Washington; the Cosmos Club; the Modern Dance Council

of Washington; the Corcoran Gallery of Art; the Phillips Gallery of Art; the District of Columbia Chapter of the American Guild of Organists; the District of Columbia Composers Club; the District of Columbia Chapter of the National Association of Composers and Conductors; the National Opera Guild of Washington, District of Columbia, Incorporated; the Board of Directors of the National Symphony Orchestra; the Women's Committee of the National Symphony Orchestra; the Jewish Community Center; the District of Columbia Chapter of the National Society of Arts and Letters; the Community Chest and United Community Services; the United Service Organizations; Washington Music Teachers Association; Young Women's Christian Association; the Citizens' Committee for Music in the District of Columbia Public Schools; the choirs and other art groups of the churches and synagogues of the Nation's Capital; and other cultural, educational, recreational, and civic organizations and institutions. The persons nominated for appointment as members (1) shall be eminent in the fields of the fine arts, and the educational and recreational fine arts; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide ade-

quate representation for all fine arts organizations and all cultural institutions and organizations with fine arts programs in the City of Washington; and

"(2) ten members to be selected and appointed by the President who, in making such appointments, shall give due consideration to any recommendations which may be submitted to him by the National Music Council, the Committee on Government and Art, the Music Educators National Conference, the American Council of Learned Societies, the American Library Association, the American Federation of Labor, the American Educational Theater Association, the American National Theater and Academy, the Association of American Colleges, the National Recreation Association, the National Art Education Association, the American Council on Education, the National Citizens' Committee for Educational Television, and other organizations and institutions in the fields of the fine arts, education, recreation, and public affairs. The persons nominated for appointment as members (1) shall be eminent in the fields of the fine arts and the educational fine arts; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation.

"(c) Any person who has been a member of the Commission for four consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

"SEC. 2 It shall be the duty of the Commission to advise upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected in the District of Columbia under the authority of the United States, and upon the selection of artists for the execution of the same. It shall also be the duty of the Commission to advise upon music, drama, dance, literature, poetry, new writing and composing, civic art and design, motion pictures, still photography, radio, television, iron work, pottery, weaving, woodwork, ceramics, work in metals, engraving, printing, and other plastic and graphic arts, as well as fine arts designed for children and for the older population group, and the educational and recreational fine arts, in the District of Columbia. It shall be the duty of the officers charged by law to determine such questions in each case to call for such advice. The foregoing provisions of this section shall not apply to the Capitol Building of the United States or to the building of the Library of Congress.

"SEC. 3. The Commission shall have a secretary and

such other assistance as the Commission may authorize, and the members of the Commission shall each be paid actual expenses incurred in going to and returning from Washington to attend the meetings of the Commission and while attending the same.

"SEC. 4. The Commission of Fine Arts is hereby authorized and directed to establish a number of annual prizes to be awarded for outstanding contributions made by individuals and organizations to the beautification of the City of Washington and the advancement of its progress in the fine arts, to be given in annual ceremonies by the President to those chosen for contributions made in this field.

"SEC. 5. To meet the expenses made necessary by this Act, an appropriation of not exceeding $50,000 a year is hereby authorized."

THE SMITHSONIAN ART COMMISSION

SEC. 302. (a) There is hereby established a commission to be known as the Smithsonian Art Commission (hereinafter in this section referred to as the "Commission"). The Commission shall give consideration to all matters pertaining to the fine arts coming under the jurisdiction of the Smithsonian Institution, and shall report thereon to the Board of Regents of the Smithsonian Institution.

(b) The Commission shall consist of fifteen members—

seven artists and seven well-qualified judges of the fine arts who shall be appointed by the Board of Regents, and the Secretary of the Smithsonian Institution, who shall be an ex officio member of the Commission. The persons so appointed (1) shall be eminent in the fields of the fine arts and the educational and recreational fine arts or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be selected so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The Board of Regents is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to it by the Committee on Government and Art, the American Council of Learned Societies, the American Association of Museums, the American Federation of Arts, the American Institute of Architects, the American Institute of Decorators, the Artists Equity Association, the Association of Art Museum Directors, the College Art Association of America, the National Academy of Design, the National Association of Women Artists, the National Institute of Arts and Letters, the National Society of Mural Painters, the Sculptors Guild, the American Society of Landscape Architects, the National Art Education Association, the American Council on Education, and by other organizations, as well as institutions, in the field of the fine arts, education, recrea-

tion, or public affairs. The term of office of each member of the Commission shall be four years. Any person who has been a member of the Commission for four years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

(c) Vacancies in the membership of the Commission shall be filled by appointment by the Board of Regents, and any member elected to fill a vacancy shall serve for the remainder of his predecessor's term.

(d) Each member of the Commission not holding other office in the Federal Government shall receive compensation at the rate of $25 for each day he is actually engaged in the business of the Commission pursuant to authorization of the Commission, and shall be allowed travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946.

(e) The Commission shall have the authority to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization, the time and place of its meetings, the establishment of standing committees, subcommittees, advisory committees, and vacancies, and prescribing the duties of such committees.

(f) The primary functions of the Commission shall be (1) to promote the administration, development, and utilization of the National Collection of Fine Arts, including the

acquisition of material of high quality representing the fine arts; and (2) to study the best methods of exhibiting material to the public and its utilization for instruction. All plans for administration of the collections proposed by the Commission shall be submitted to the Smithsonian Institution for approval and action.

(g) A report of the operations of the Commission for each year shall be submitted with the report of the secretary of the Smithsonian Institution at the annual meeting of the Board of Regents on the first Tuesday in December, and shall be printed in the annual report of the Board to Congress, under the heading "National Collection of Fine Arts".

CARTER BARRON AMPHITHEATER

SEC. 303. There are hereby authorized to be appropriated such sums as may be necessary to complete the Carter Barron Amphitheater in the District of Columbia (under the jurisdiction of the National Capital Parks, National Park Service, Department of the Interior) by providing it with a roof and whatever else is necessary to protect both audience and performers from inclement weather in order that it may be of greater service to the public.

SMITHSONIAN GALLERY OF ART

SEC. 304. Section 3 of the joint resolution entitled "Joint resolution to set apart public ground for the Smithsonian

Gallery of Art, and for other purposes", approved May 17, 1938, is amended by adding at the end thereof the following new subsection:

"(d) There are hereby authorized to be appropriated such sums as may be necessary, in addition to the funds received under subsection (a) of this section, to carry out the purposes of this joint resolution."

AUDITORIUMS IN FEDERAL BUILDINGS

SEC. 305. In the planning, design, and construction of Federal buildings where auditoriums are included, due consideration shall be given to current building practices in the construction of schools (including provision for stage and dressing room facilities, stage lighting, and related equipment and facilities designed for the efficient presentation of fine arts productions and programs), as well as to the use of such auditoriums by the community in which they are located, and the purposes of this Act, in order to ensure that any additional auditoriums which may be provided will be suitable for use in carrying out the purposes of this Act: *Provided*, That in advance of the preparation of designs and drawings for each building to be provided with the above-described appurtenant facilities, the Commission shall transfer to the department or agency of the Government that shall undertake the construction of the building, and such department or agency shall accept, and apply as an augmentation

of the funds otherwise available for the construction of the building exclusive of such appurtenant facilities, an amount of money sufficient to defray all the costs to be incurred on account of the provision of such appurtenant facilities.

DECORATIVE ART IN FEDERAL BUILDINGS

SEC. 306. (a) It is hereby declared to be the purpose of this section (1) to encourage the development of a strong and vital American art of painting and sculpture through maximum use of American artists in the decoration of public buildings; (2) to promote the progress of the useful arts; (3) to secure suitable art of the best quality for the decoration of public buildings in this country and buildings of the United States Government in foreign countries; (4) to carry out this work in such a way as will best assist in stimulating the development of American art and rewarding the outstanding talent which develops; (5) to encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act; (6) to encourage and assist in the development of the creative and fine arts for children, and to increase and enlarge the opportunities for the participation of children in the fine arts; and (7) to encourage and assist in the development of the creative arts for older persons, as a vitally important part of the adult programs in the fine arts, and to increase and enlarge the opportunities for the participation of

older persons in the fine arts; (8) to encourage and assist in surrounding our houses, grounds, towns, and cities with a maximum of beauty; (9) to encourage and assist the further growth and development of town, city, and regional planning; and (10) to encourage and assist in the development and growth of increased collaboration and cooperation between artists working in the various fields of the arts, as well as in greater coordination of the various arts.

(b) As used in this section—

(1) the term "decorative art work" includes murals, paintings, sculpture, water colors, prints, ironwork, pottery, weaving, woodcarving, and artistic work in other media.

(2) the term "Director" means the Director of the Smithsonian Gallery of Art (or, until the construction of the Smithsonian Gallery of Art is completed, the Director of the National Collection of Fine Arts.

(3) the term "Federal agency" means any department, agency, or establishment of the Federal Government.

(c) Whenever a public building is to be constructed by or under contract to a Federal agency, the Director and the head of the Federal agency which will have jurisdiction over such building upon its completion shall jointly deter-

mine what percentage, if any, of the total amount of money available for the construction of such building should be used to provide decorative art work for such building. Such determination shall be based upon a consideration of the purposes for which the building is to be used, the types of decorative art work which would be most fitting and appropriate in the light of such purposes, and any other factors deemed relevant by the Director or such agency head. Within the limits of the percentage determined under the first sentence of this subsection, the Director and the agency head shall jointly prescribe the type and extent of the decorative art work, if any, to be provided for such building, and shall, as provided in subsection (d), select the artists, sculptors, or other persons to execute such work.

(d) The Director shall establish a system of open, anonymous, juried competitions to be used by each Federal agency, under the supervision of the Director, in selecting the persons who will execute the decorative art work to be provided pursuant to the determination made under subsection (c) for any public building which, upon completion of construction, will be under the jurisdiction of such agency. In conducting such competitions, every opportunity shall be given to artists, sculptors, and other persons from the community in which the construction will occur, but no artist,

sculptor, or other person shall be selected to execute any such work except upon the sole basis of his artistic qualifications.

(e) In the event that the Director and the agency head concerned determine that no decorative art work should be provided for any building, a sum equal to one per centum of the total amount of money made available for the construction of such building shall be placed in a special fund, to be administered jointly by the Director and the agency head. Money in such special fund may be used, whenever the Director and the agency head concerned determine that it is advisable to do so, in supplementing amounts made available thereafter to provide decorative art work for buildings under the jurisdiction of that agency by providing special or additional decorative art work for such buildings.

(f) Whenever Federal funds are to be made available to any State, county, or municipality as a loan or grant-in-aid, and any part of such funds are to be used in the construction of public buildings, the head of the agency making such funds available shall consult with the Director with respect to the desirability and appropriateness of requiring, in the applicable plan or agreement under which the funds are made available, the provision of decorative art work for such buildings; and any such plan or agreement shall contain such requirements with respect to the provision of decorative

art work as may be agreed upon by the Director and such agency head.

STATEMENT REGARDING FUTURE DEVELOPMENTS

SEC. 307. The Congress hereby reaffirms its belief in the essential nature of the contributions being made by fine arts to the morale, health, and general welfare of the Nation, and in the need for taking all possible steps to further encourage the development and increase the stature of the fine arts in the United States. The Congress accordingly expresses the hope that, with more complete recognition of the importance of the fine arts in our society, action will be taken to establish in the Government, on an equal footing with the other departments of the Government, a new Department of Education and Arts, and to transfer to such Department (along with educational and related functions now being exercised by other agencies of the Government) the functions vested in the Commission or otherwise provided for by this Act.

EXEMPTION FROM ADMISSIONS TAX

SEC. 308. (a) Section 1701 (a) (1) (A) of the Internal Revenue Code (relating to exemptions from the tax on admissions) is amended by striking out "location—" at the end of clause (v) and inserting in lieu thereof "location;", and by inserting after clause (v) the following new clause:

"(vi) a civic or community group or organization engaged primarily in the conduct or presentation of living drama, ballet, or dance—".

(b) The amendments made by subsection (a) shall apply only with respect to amounts paid on or after the first day of the first month which begins more than ten days after the date of the enactment of this Act for admissions on or after such first day.

DEFINITIONS

SEC. 309. For the purposes of this Act—

(1) the term "fine arts" includes opera and other forms of music, drama, ballet and other forms of dance, new writing and composing, literature, poetry, architecture, landscape architecture, city and regional planning, civic art and design, housing, interior design and decoration, motion pictures, still photography, radio and television, ironwork, pottery, weaving, woodwork, ceramics, work in metals, engraving, printing, sculpture and painting, and other plastic and graphic arts, as well as fine arts designed for children and for the older population group in our country, and the educational and recreational fine arts; and

(2) the term "nonprofit organization" means any public or private foundation, charitable trust, accredited college or university, or other organization (whether or not incorporated), no part of the net earnings of which inures to the benefit of any of its stockholders or members.

83D CONGRESS
2D SESSION

H. R. 7185

A BILL

To provide for the establishment of an American National War Memorial Arts Commission, and for other purposes.

By Mr. HOWELL

JANUARY 14, 1954
Referred to the Committee on Education and Labor

83D CONGRESS
2D SESSION

H. R. 7106

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 1954

Mr. BOLLING introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the establishment of an American National Memorial Arts Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American National Arts Act".

TITLE I—THE AMERICAN NATIONAL WAR MEMORIAL ARTS COMMISSION

STATEMENT OF FINDINGS AND FOLICY

SEC. 101. (a) The Congress hereby finds (1) that great contributions can be and are being made by the fine arts to the morale, health, and general welfare of the Nation, and (2) that the city of Washington, since its establishment

EXHIBIT F

as the Nation's Capital in 1800, has never had a suitable theater and music center commensurate with its position of leadership among the free nations of the world. The Congress, recognizing the fact that man cannot live by bread alone, further finds that an education which includes the humanities is essential to political wisdom, and that in the world of today, as we face the persistent problems of men and defend and attempt to add stature to the ideals and principles of free men and of free institutions, the relevance of the humanities to our task is unquestionable, for it is the humanities, more than science or statistics, which provides the real answer to communism.

(b) It is therefore declared to be the policy of the Congress and the purpose of this Act (1) to encourage the growth and development of the fine arts throughout the United States for the purpose of developing greater knowledge, understanding, and practice of the fine arts; (2) to increase the accessibility of the fine arts to all age groups in our population and to raise the standard of execution of the fine arts, by professionals and amateurs alike, throughout the Nation; (3) to establish in the executive branch of the Government a Federal agency to advise and cooperate with public and private agencies and organizations operating in the field of the fine arts on all matters directly or indirectly concerned with these objects; (4) to provide

for the establishment, maintenance, and operation in the Nation's Capital of a suitable theater and music center dedicated to the fuller growth and development of the fine arts throughout the United States and designed for use by the National War Memorial Arts Commission in the presentation of fine arts programs; (5) to encourage the development of strong American theatrical and musical arts through maximum use of the English language in productions assisted under this Act; (6) to promote the progress of the useful arts; (7) to carry out the programs authorized by this Act in such a way as will best assist in stimulating the development of American art and rewarding the outstanding talent which develops; (8) to encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act; (9) to encourage and assist in the development of the creative and fine arts for children, and to increase and enlarge the opportunities for the participation of children in the fine arts; (10) to encourage and assist in the development of the creative arts for older persons, as a vitally important part of the adult programs in the fine arts, and to increase and enlarge the opportunities for the participation of older persons in the fine arts; (11) to encourage and assist in surrounding our houses, grounds, towns, and cities with a maximum of beauty; (12) to encourage and assist the fur-

ther growth and development of town, city, and regional planning; (13) to encourage and assist in the development and growth of increased collaboration and cooperation between artists working in the various fields of the arts, as well as in greater coordination of the various arts; and (14) to advance the progress of general education and public understanding of the importance of the liberal and fine arts to our form of government.

ESTABLISHMENT OF THE COMMISSION

SEC. 102. There is established a commission to be known as the American National War Memorial Arts Commission (hereinafter referred to as the "Commission") and to be composed of—

(1) the President of the United States, ex officio, who shall be Chairman; the Chairman of the Senate Committee on Labor and Public Welfare and the Chairman of the House Committee on Education and Labor (either of whom may, if unable to serve in person, designate another member of his committee to serve as a member of the Commission in his stead) ; the ranking minority member of the Senate Committee on Labor and Public Welfare and of the House Committee on Education and Labor; and the following persons or their designees: the Secretary of Defense; the Secretary of the Interior; the Secretary of State; the Administrator

of General Services; the Librarian of Congress; the Public Printer; the Director, Bureau of Engraving and Printing, and the Director, Bureau of the Mint of the Department of the Treasury; the Chairman of the Commission of Fine Arts; the Secretary of Health, Education, and Welfare; the Chairman of the Board of Commissioners of the District of Columbia; the Chairman of the National Capital Planning Commission; the Housing and Home Finance Administrator; the Director of the United States Information Agency; the Secretary of Agriculture; the Chairman of the Federal Communications Commission; the Secretary of the Smithsonian Institution; and, in addition,

(2) twenty-four eminent citizens to be appointed by the President, by and with the advice and consent of the Senate and (except in the case of appointments made prior to the first meeting of the Commission) with the approval of the Vice Chairman of the Commission. The persons so appointed shall be eminent in the fields of the fine arts, education, recreation, and public affairs, and at least six of such persons shall be drawn from the fields of fine arts, education, and recreation for children. Such persons shall be selected (A) solely on the basis of established records of distinguished service, (B) so as to insure that each of the eight divisions of the

Commission provided for in section 107 will be represented by three members who have particular experience and knowledge in the field of the fine arts within the jurisdiction of that division, and (C) so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The President is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to him by the National Music Council, the Committee on Government and Art, the Music Educators National Conference, the American Council of Learned Societies, the American Library Association, the American Federation of Labor, the American Educational Theater Association, the American National Theater and Academy, the Association of American Colleges, the National Recreation Association, the National Art Education Association, the American Council on Education, the National Citizens' Committee for Educational Television, and other organizations and institutions in the fields of the fine arts, education, recreation, and public affairs. The term of office of each member appointed under this paragraph shall be six years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be ap-

pointed only for the remainder of such term; and (B) the terms of office of the members first appointed shall expire, as designated by the President at the time of appointment, eight at the end of two years, eight at the end of four years, and eight at the end of six years, after the date of the enactment of this Act. Any person who has been a member of the Commission for six consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such sixth year. Any member of the Commission appointed under this paragraph shall, notwithstanding the expiration of his term, continue as a member until the qualification and appointment of his successor. Not more than thirteen of the persons appointed under this paragraph shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable.

FUNCTIONS AND DUTIES OF THE COMMISSION

SEC. 103. (a) The Commission is authorized and directed—

(1) to develop and encourage the pursuit of a national policy for the promotion of, and for education in, the fine arts by all age groups in our population;

(2) to initiate and support both professional and

amateur activities in all fields of the fine arts by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of activities in the fine arts, and to appraise the impact of such activities upon the general welfare and the cultural development of the Nation;

(3) at the request of the head of any department, agency, or independent establishment of the Federal Government, or of the Board of Commissioners of the District of Columbia, to initiate and support specific fine arts activities in connection with matters relating to the general welfare and the cultural development of the Nation by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such fine arts activities;

(4) to award, as provided in section 10 (4), scholarships and graduate fellowships in the fine arts;

(5) to foster the interchange of fine arts information among professional and amateur artists (both individuals and organizations) in the United States and those in foreign countries, and between the Federal Government and governments of foreign countries;

(6) to evaluate fine arts programs undertaken by agencies of the Federal Government, and to correlate the fine arts program of the Commission with similar

programs and activities undertaken by individuals and by public and private professional and amateur fine arts groups;

(7) to establish, maintain, and administer in the Nation's Capital a theater and music center to be known as the American National War Memorial Theater and Music Center, to be constructed in accordance with section 10 (2) and used in the development of the fine arts as provided in section 10 (5);

(8) to employ artists and other personnel and generally to do such things and have such other powers as may be necessary to encourage the development of contemporary art and effect the widest distribution and cultivation of such art by professionals and amateurs alike;

(9) to assist financially and otherwise in the preparation and presentation of professional and amateur fine arts productions and programs which contribute to the achievement of the purposes of this Act and which are prepared and carried on by Federal, State, county, and municipal agencies and authorities, by accredited nonprofit colleges and universities, and by other nonprofit organizations in the field of the fine arts; and

(10) to establish such special commissions as the

Commission may from time to time deem necessary for the purposes of this Act.

(b) In exercising the authority and discharging the functions set forth in subsection (a) it shall be one of the objectives of the Commission to strengthen professional and amateur activities, study, and education in the fine arts by all age groups in our population, including independent work in the fine arts in all parts of the United States, including its Territories and possessions, and to avoid undue concentration of such activities, study, and education. The Commission shall encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act.

(c) In making contracts or other arrangements for fine arts programs and productions the Commission shall utilize appropriations available therefor in such manner as will in its judgment best realize the objectives of (1) having the work performed by organizations, agencies, institutions, and individuals in the United States (including Government agencies of the United States) qualified by training and experience to achieve the results desired, (2) strengthening the fine arts staff of organizations, particularly nonprofit organizations, in the States, Territories, possessions, and the District of Columbia, (3) aiding those institutions, agencies, organizations, and State, county, and municipal govern-

ments which, if aided, will advance the development of the fine arts, and (4) encouraging independent work in the fine arts by individuals.

(d) The Commission shall render an annual report to the President for submission on or before the 15th day of January of each year to the Congress, summarizing the activities of the Commission and making such recommendations as it may deem appropriate. Such report shall include minority views and recommendations, if any, of members of the Commission.

ORGANIZATION OF THE COMMISSION

SEC. 104. (a) As soon as practicable after the date of the enactment of this Act, the President shall call the first meeting of the Commission, and the first order of business at such meeting shall be the election of a Vice Chairman. The Vice Chairman shall be elected for a term of two years and shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the vice chairmanship, the Commission shall elect a member to fill such vacancy.

(b) The Commission shall meet quarterly and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Commission shall constitute a quorum. Each member appointed under paragraph (2) of section 2 shall be given notice, by registered mail mailed to his last-known address of record

not less than fifteen days prior to any meeting, of the call of such meeting.

DIRECTOR OF THE COMMISSION

SEC. 105. (a) There shall be a Director of the Commission who shall be appointed by the President by and with the advice and consent of the Senate. The Commission may make recommendations to the President with respect to the appointment of the Director, and the Director shall not be appointed until the Commission has had an opportunity to make such recommendations. He shall serve as a nonvoting ex officio member of the Commission. In addition thereto he shall be the chief executive officer of the Commission. The Director shall receive compensation at the rate of $15,000 per annum and shall serve for a term of six years unless sooner removed by the President.

(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Commission, exercise the powers granted by section 10 of this Act, together with such other powers and duties as may be delegated to him by the Commission.

THE EXECUTIVE COMMITTEE

SEC. 106. (a) The Commission shall appoint from among its members an Executive Committee, and assign to the Executive Committee such of the powers and functions

granted to the Commission by this Act as it deems appropriate; except that the Commission may not assign to the Executive Committee the function of establishing policies.

(b) (1) The Executive Committee shall be composed of the Vice Chairman of the Commission, who shall be Chairman of the Executive Committee; the Director, who shall be a nonvoting ex officio member; the Secretary of Health, Education, and Welfare; the Chairman of the National Capital Planning Commission; the Chairman of the Board of Commissioners of the District of Columbia; the Secretary of the Smithsonian Institution; the Secretary of the Interior; the Housing and Home Finance Administrator; the General Services Administrator; the Chairman of the Commission of Fine Arts; the Librarian of Congress; and sixteen members of the Commission selected from among the persons appointed under paragraph (2) of section 102. The sixteen members of the Committee who were appointed to the Commission under paragraph (2) of section 102 shall, so far as practicable, be representative of diverse interests and chosen so as to provide representation for all areas of the Nation.

(2) The Executive Committee shall render a quarterly report and an annual report to the Commission, and such other reports as it may deem necessary or the Commission may require, summarizing its activities and making such

recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the Executive Committee shall be included in such reports.

(c) The Commission is authorized to appoint from among its members or otherwise such committees as it deems necessary, and to assign to committees so appointed such survey and advisory functions as the Commission deems appropriate for the purposes of this Act.

DIVISIONS OF THE COMMISSION

SEC. 107. (a) Unless and until otherwise provided by the Commission, there shall be within the Commission the following divisions:

(1) A Division of Music,

(2) A Division of Drama, Poetry, and Speech,

(3) A Division of Ballet and other forms of dance,

(4) A Division of Literature, Libraries, new writing, and composing,

(5) A Division of Architecture, Landscape Architecture, City and Regional Planning, and Civic Art and Design,

(6) A Division of Painting and Sculpture, Interior Design and Decoration, Printing, Engraving, Still Photography, and Other Graphic and Plastic Arts,

(7) A Division of Educational and Artistic Motion Pictures, and

(8) A Division of Educational and Artistic Radio and Television.

(b) There shall also be within the Commission such other divisions as the Commission may, from time to time, deem necessary.

DIVISIONAL COMMITTEES

SEC. 108. (a) There shall be a committee for each division of the Commission.

(b) Each divisional committee shall be appointed by the Commission and shall consist of not less than nine persons who may be members or nonmembers of the Commission. At least one member of each divisional committee shall be eminent in the field of fine arts for children which is most appropriate for that particular divisional committee. Any nonmember of the Commission appointed to a divisional committee shall be a person eminent in the field of the fine arts and/or in education, recreation, or public affairs, as may be most appropriate for the particular divisional committee to which he is appointed. The membership of such committees, shall, so far as practicable, be representative of diverse interests and chosen so as to provide representation for all areas of the Nation, and in making such appointments due consideration shall be given to any recommendations which may be submitted to the Commission by leading educational organizations, and by fine arts organizations in

the particular field of the fine arts most appropriate for the particular divisional committee to which he is appointed.

(c) Each divisional committee shall annually elect its own chairman from among its own members and shall prescribe its own rules of procedure subject to such restrictions as may be prescribed by the Commission.

(d) Each divisional committee shall make recommendations to, and advise and consult with, the Commission and the Director with respect to matters relating to the program of its division.

SPECIAL COMMISSIONS

SEC. 109. (a) Each special commission established pursuant to section 3 (a) (10) shall consist of eleven members appointed by the Commission, six of whom shall be eminent in the field of the fine arts and five of whom shall be eminent in the fields of education, recreation, or public affairs, and in making such appointments due consideration shall be given to any recommendations which may be submitted to the Commission by leading educational organizations, and by fine arts organizations in the particular field of the fine arts most appropriate for the particular special commission to which he is appointed. At least one member of each special commission shall be eminent in the field of fine arts for children which is most appropriate for that particular

special commission. Each special commission shall choose its own chairman and vice chairman.

(b) It shall be the duty of each such special commission to make a comprehensive survey of fine arts activities, both public and private, being carried on in its field, and to formulate and recommend to the Commission at the earliest practicable date an overall fine arts program in its field.

POWERS OF THE COMMISSION

SEC. 110. The Commission shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this Act, including, but without being limited thereto, the authority—

(1) to appoint such clerks, stenographers, skilled and technical assistants, artists, and other personnel as may be needed in organizing and carrying out the plans of the Commission, as provided in section 112; to purchase such materials, and to contract for such labor and other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation and presentation of fine arts productions and programs;

(2) to erect a building or buildings (including a theater and music center as provided in section 3 (a)

(7)), or other structures, for its own use, on a site or sites approved by the National Capital Planning Commission, and to provide for the landscaping of such site or sites; to provide for the decoration and maintenance of such buildings, structures, sites, and grounds; to rent such space in the District of Columbia without regard to section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, as the Commission may deem necessary: *Provided*, That the erection or construction of the buildings and landscaping of sites shall be accomplished by the General Services Administration under agreements mutually acceptable to the Commission and the Federal and District of Columbia Government agencies having jurisdiction and control over the area or areas involved, and shall be approved by the National Capital Planning Commission: *Provided further*, That no building or structure shall be constructed on land belonging to or under the jurisdiction or control of any agency of the District of Columbia government without the prior approval of the Commissioners of the District of Columbia;

(3) to allot funds appropriated for the purpose of this Act to any department, agency, or independent establishment of the Federal Government with the consent of the head thereof, or to the District of Columbia government with the consent of the Board of Com-

missioners of the District of Columbia, for direct expenditure in preparing and presenting professional or amateur fine arts productions and programs approved by the Commission;

(4) to award, within the limits of funds made available specifically for such purpose pursuant to section 14 (a), scholarships and graduate fellowships for work or study in the fine arts at accredited nonprofit American or foreign institutions of higher education, selected by the recipient of such aid and approved by the Commission, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships are deemed by the Commission to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships, or fellowship or fellowships, shall be awarded to the applicants in such manner as will tend to result in the widest possible distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia;

(5) (A) to make the American National War

Memorial Theater and Music Center available without charge to any Federal, State, county, or municipal agency or authority, any accredited nonprofit college or university, or any other nonprofit organization, and to foreign organizations, groups, or individuals, for the presentation of professional and amateur fine arts productions and programs, upon request therefor made with the concurrence of the Director, and to permit charges for admission to such programs to be made. In making the American National War Memorial Theater and Music Center available for the presentation of such productions and programs to such agencies, authorities, institutions, and organizations the Commission shall not, except as provided in this Act and as determined by the Commission, incur any financial responsibilities except those incidental to the furnishing of heat, light, and other services necessary for such productions and programs. The Commission shall maintain a worthy standard for the fine arts productions and programs presented in the American National War Memorial Theater and Music Center and, through the public presentation of such productions and programs in the Nation's Capital and also in other parts of the country and in foreign countries, shall foster and encourage a growing appreciation of the fine arts, both past and contemporary;

(B) to develop and carry on in the American National War Memorial Theater and Music Center a worthy fine arts program, including opera and other forms of music, ballet and other forms of dance, and drama, including programs in these arts especially designed for children; to produce and present productions and programs of music, dance, and drama, both professional and amateur, in the American National War Memorial Theater and Music Center and in such other parts of the country and in such foreign countries as the Commission may decide upon; and to fix and collect charges for admission thereto: *Provided,* That all revenues received by the Commission from such admission charges shall be covered into the Treasury of the United States to the credit of the appropriation authorized in section 14 (a) and may be expended and shall be accounted for in the same manner as other funds authorized for expenditure by the Commission;

(6) to accept, receive, hold, administer, and use any funds, materials, and other property donated to it (whether by gift, bequest, devise, or otherwise), if such funds, materials, or property are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Commission; to accept the services of any skilled or unskilled labor

that may be made available to it; and to accept reimbursement from public or private organizations and individuals for rights and privileges, or assistance of any kind, granted or given by it. All such donations and reimbursements shall be expended and accounted for in the same manner as the funds made available pursuant to the authorization contained in section 14 (a). Donations of money or securities shall be deposited in the Treasury of the United States as trust funds, and shall be subject to disbursement by the Commission for the purposes of this Act; except that the Commission may in its discretion place any of such money or securities in private depositaries selected by it. The Secretary of the Treasury is authorized, upon request of the Commission, to invest, reinvest, or retain investments of the money and securities composing such trust funds in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. Donations under this paragraph (and any income therefrom) shall be exempt from all Federal taxes;

(7) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(8) to make such expenditures as may be necessary for administering the provisions of this Act;

(9) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(10) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries (including other Government agencies of the United States and agencies of foreign countries), of such fine arts activities as the Commission deems necessary to carry out the purposes of this Act, and, when deemed appropriate by the Commission, such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes of the United States;

(11) to make advance, progress, and other payments which relate to fine arts activities without regard to the provisions of section 3648 of the Revised Statutes of the United States (31 U. S. C., sec. 529);

(12) to publish or arrange for the publication of fine arts information so as to further the full dissemination of information relating to the fine arts;

(13) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 5 of the Administrative Expenses Act of 1946 for persons serving without compensation;

(14) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for fine arts activities shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure of public funds and accounting therefor; and

(15) to use and occupy, for office and related purposes, space in Government-owned or leased buildings under the same conditions as may be applicable to executive departments and independent establishments in the executive branch of the Federal Government.

PARTICIPATION IN INTERNATIONAL FINE ARTS ACTIVITIES

SEC. 111. (a) The Commission is hereby authorized to cooperate and participate in any international fine arts activities consistent with the purposes of this Act and to expend for such international fine arts activities such sums

within the limit of appropriated funds as the Commission may deem desirable. The Director, with the approval of the Commission, may defray the expenses of representatives of Government agencies and other public and private nonprofit organizations, and of individual artists or groups of artists, incurred in attending accredited international fine arts festivals, events, or meetings or in performing in other countries, whenever he deems it desirable in the promotion of the objectives of this Act.

(b) (1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 10 (10), and the authority to cooperate in international fine arts activities as provided in subsection (a) of this section, shall be exercised only with the approval of the Secretary of State, to the end that such authority shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director.

PERSONNEL PROVISIONS

SEC. 112. (a) The Director, in accordance with such policies as the Commission shall from time to time prescribe, shall appoint and fix the compensation of such personnel as may be necessary to carry out the purposes of this Act, subject to the civil-service laws and regulations and the Classification Act of 1949: *Provided,* That the Director, in accordance with such policies as the Commission shall from time to time prescribe, may employ technical and professional personnel, experts and consultants, on a temporary or intermittent basis and fix their compensation in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946.

(b) The Director may appoint, with the approval of the Commission, a Deputy Director who shall perform such functions as the Director, with the approval of the Commission, may prescribe, and who shall be Acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director.

(c) Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Commission, hold any office in, or act in any capacity for, any organization, agency, or

institution with which the Commission makes any contract or other arrangement under this Act.

(d) Each member of the Commission and each member of a divisional committee or special commission not holding other office in the Federal Government shall receive compensation at the rate of $25 for each day he is actually engaged in the business of the Commission pursuant to authorization of the Commission, and shall be allowed travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946.

(e) Persons holding other offices in the Federal Government may serve as members of the divisional committees and special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

RELATIONS WITH OTHER FEDERAL AGENCIES

SEC. 113. The heads of the departments, agencies, and independent establishments of the Federal Government, and the Commissioners of the District of Columbia, are authorized to cooperate with the Commission, to appoint such draftsmen and other skilled assistants as may be necessary, to contract for such labor and other services as may be deemed necessary, and to designate officials or employees in their respective spheres to assist the Commission. The

Commission shall make reimbursement, upon such terms as may be agreed to by it and the department, agency, or independent establishment concerned, or the Board of Commissioners of the District of Columbia, for personnel and services furnished or made available to assist the Commission under this section.

AUTHORIZATION AND EXPENDITURE OF FUNDS

SEC. 114. (a) There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to carry out its powers and duties under this Act.

(b) Appropriations made pursuant to the authority contained in subsection (a) shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

(c) All purchases, expenditures, and disbursements of moneys made available by authority of this Act shall be made under the direction of the Commission in accordance with law. All accounts and vouchers covering the expenditures shall be approved by the Director or by such other persons as he may designate, except for such allotments as may be made to the various departments, agencies, and independent establishments, or to the District of Columbia Government, or to State, county, or municipal governments,

or to civic nonprofit organizations, or to accredited nonprofit colleges and universities, for direct expenditure in accordance with section 10 (3); but nothing in this Act shall be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit.

(d) Appropriated funds available to any department or agency of the Government for fine arts work, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Commission for such use as is consistent with the purposes for which such funds were provided, and funds so transferred shall be expendable by the Commission for the purposes for which the transfer was made, and, until such time as an appropriation is made available directly to the Commission, for general administrative expenses of the Commission without regard to limitations otherwise applicable to such funds.

SPACE FOR FINE ARTS PRODUCTIONS AND PROGRAMS IN THE DISTRICT OF COLUMBIA

SEC. 115. Upon the request of any accredited nonprofit college or university, or any other nonprofit organization, and with the approval of the Commission, the District of Columbia government is authorized to make available, to

such college, university, or nonprofit organization, for the presentation of professional and amateur fine arts productions and programs under this Act (including the sale of tickets of admission thereto), any suitable space subject to the jurisdiction and control of the District of Columbia government, with the concurrence of the Commissioners of the District of Columbia. In providing suitable space for the presentation of such productions and programs the District of Columbia government shall not incur any financial responsibilities. Such space shall be made available without charge, except that the college, university, or nonprofit organization making use of the space shall reimburse the District of Columbia government for heat, light, and custodial and other services provided by it in connection with the presentation of such productions and programs.

PRODUCTIONS TO BE IN ENGLISH

SEC. 116. All opera and drama productions and programs presented by or under any arrangement with the Commission, with the exception of performances by visiting foreign companies, shall be presented in the English language to the maximum extent practicable. Suitable translations in English shall be provided when foreign opera and drama productions are presented.

TITLE II—GRANTS TO STATES FOR THE DEVELOPMENT OF FINE ARTS PROGRAMS AND PROJECTS

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is—

(1) to assist the several States to inventory their existing programs in the fine arts of music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts, to survey the need for additional programs in these arts, and to develop programs and projects for public and other nonprofit activities in the fine arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities, and services in the fine arts to all their people;

(2) to assist in the construction of public and other nonprofit centers for music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts in accordance with such programs; and

(3) to authorize the Secretary to conduct and make grants for the conduct of research, experiments, and demonstrations relating to the effective development and utilization of facilities and resources in the fields

of the fine arts, and to encourage the presentation in all parts of the country of productions and programs in every field of the fine arts.

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. In order to assist the States in carrying out the purpose of this title and the purpose of this Act, there are hereby authorized to be appropriated for the fiscal year 1954 and subsequent fiscal years such sums as may be neccessary for the effective development of public and other nonprofit fine arts programs and projects.

STATE PLANS

SEC. 203. (a) Any State which desires to take advantage of the benefits of this title may submit a State plan for carrying out the purpose of this title. Such State plan must—

(1) designate the State department of education or a similar State agency selected by the Governor (hereinafter in this title referred to as the "State agency") as the sole agency for the administration, supervision, and control of the State plan;

(2) contain satisfactory evidence that the State agency will have authority to carry out such plan in accordance with this title;

(3) provide that the State treasurer (or, if there is no State treasurer, the officer exercising similar

functions for the State) be appointed as custodian of funds received under this title from the Federal Government and receive and provide for the proper custody of such funds;

(4) set forth the program, policies, and methods to be followed in carrying out the State plan and in its administration and supervision;

(5) contain adequate assurances that high standards will be maintained for the fine arts programs and projects assisted under this title;

(6) provide for such methods of administration as the Secretary deems necessary for the proper and efficient administration of the plan;

(7) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may find necessary to assure the correctness and verification of such reports;

(8) provide such rules, regulations, and standards with respect to expenditures of funds made available under this title as the Secretary may find reasonable and necessary; and

(9) provide that the State agency will from time to time review its fine arts programs and projects and sub-

mit to the Secretary any modifications thereof which it considers appropriate.

(b) The Secretary shall approve any State plan and any modification thereof which he believes to be feasible and which complies with subsection (a).

(c) No changes in a State plan shall be required within two years after the initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in regulations prescribed by the Secretary, except with the consent of the State or in accordance with further action by the Congress.

(d) The State plan may include standards for determination of the Federal share of the cost of fine arts programs and projects approved in the State. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria) for variations between programs and classes of programs, and between projects and classes of projects, on the basis of the economic and cultural status of areas, the relative need for additional programs and projects as between areas, and other relevant factors. No such standards shall provide for a Federal share of more than 50 per centum of the cost of any such program or project. The Secretary shall approve any such standards and any modifications thereof which comply with the purpose of this title and the purpose of this Act.

CONSTRUCTION PROJECTS

SEC. 204. For each project undertaken pursuant to a State plan to carry out the purpose of section 201 (2), there shall be submitted to the Secretary a special application by the State agency or by the political subdivision, institution, or organization undertaking the project. Such application shall set forth such information (including a description of the project and its plans and specifications in detail) and assurances as the Secretary may require. The Secretary shall approve such application if he determines that the project is feasible, desirable, and consistent with this Act; and no Federal funds shall be available for the project until the application has been so approved. No such application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

ALLOTMENTS TO STATES

SEC. 205. (a) Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment (as determined by the Secretary within the limits of available appropriations) to assist in defraying the cost of approved programs and projects in the fine arts within such State for that fiscal year. Such allotment shall be available, in accordance with this title, for payment of the Federal share of such cost.

(b) The Secretary shall calculate the allotments to be

made under subsection (a) and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to a State for a fiscal year under this section and remaining unobligated at the end of such year shall be made available to such State for the same purposes for the next fiscal year (and for such year only, except in the case of sums allotted to carry out the purpose of section 201 (2)) in addition to the sums allotted to such State for such next fiscal year. Any amount of the sum appropriated pursuant to the authorization contained in section 202 for a fiscal year which is not allotted in such year by reason of the failure of any State or States to have a plan approved under this title, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State under the preceding sentence, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized for such next fiscal year under section 202.

(c) For the purposes of this section, the term "Federal share" with respect to any program or project means the proportion of the cost of such program or project to be paid by the Federal Government, and shall be determined as follows:

(1) If the State plan in effect at the time of such program or project contains standards approved by the Secretary as provided in section 203 (d), the Federal share with respect to such program or project shall be determined by the State agency in accordance with such standards;

(2) If the State plan does not contain such standards, the Federal share shall be the amount, not more than 50 per centum of the cost of the program or project involved as established by the State agency, determined by the Secretary at the time he approves the State plan.

WITHHOLDING OF CERTIFICATION

SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds—

(1) that such agency is not complying substantially with the provisions of this title or the terms and conditions of its State plan approved under this title;

(2) that any funds paid to such agency under this title have been diverted from the purposes for which they were allotted or paid;

(3) that any assurance given in the State plan is not being or cannot be carried out; or

(4) that adequate State funds are not being pro-

vided annually for the direct administration of the State plan,

the Secretary may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under this title with respect to such State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

DEFINITIONS

Sec. 207. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) The term "State" means a State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

TITLE III—MISCELLANEOUS PROVISIONS

THE COMMISSION OF FINE ARTS

SEC. 301. The Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (40 U. S. C., secs. 104–106), is amended to read as follows:

"That (a) a permanent Commission of Fine Arts is hereby created, to be composed of twenty-one well-qualified judges of the fine arts, who shall be appointed by the Presi-

dent, and who shall serve for a period of four years each, and until their successors are appointed and qualified. The President shall have authority to fill all vacancies.

"(b) The Commission shall consist of—

"(1) eleven members nominated by the Board of Commissioners of the District of Columbia and appointed by the President. The Board of Commissioners, in selecting such eleven members, shall give due consideration to any recommendations which may be submitted to it by the following organizations or their successors: the National Symphony Orchestra Association; the Greater Washington Music Council; the Cultural Development Committee of the Washington Board of Trade; the Washington Central Labor Union; the Board of Education; the District of Columbia Congress of Parent Teacher Associations; the American Association of University Women (Washington Branch); the Federation of Citizens' Associations; the Federation of Civic Associations; the Democratic and Republican Clubs of the District of Columbia; the District of Columbia Public Library; the District of Columbia Recreation Department; the District of Columbia Music Educators Association; the Citizen's Advisory Council of the Board of Commissioners, District of Columbia; the Franklin Typographical Society; the Washington Film Council; the

Federal Artists Group; the American Institute of Graphic Arts (Washington Chapter); the Art Directors Club of Washington; the District of Columbia Chapter, American National Red Cross; the Washington Home Rule Committee; the Central Suffrage Conference, District of Columbia; the District of Columbia Branch, National League of American Penwomen; the Artists Guild of Washington; the District of Columbia Federation of Women's Clubs; Local 161 of the American Federation of Musicians; the Washington Folk Dance Group; the Children's Theatre of Washington; the Society of Washington Artists; the American Institute of Architects (Washington-Metropolitan Chapter); the League of Women Voters of the District of Columbia; the District of Columbia Industrial Union Council, Congress of Industrial Organizations; the Department of Agriculture Symphony Orchestra; the District of Columbia Federation of Music Clubs; the Friday Morning Music Club; the Workshop Center of the Arts; the Arena Stage; the drama, music, and other fine arts departments of the Catholic University of America, American University, Howard University, George Washington University, and Georgetown University; the Arts Club of Washington; the Cosmos Club; the Modern Dance Council

of Washington; the Corcoran Gallery of Art; the Phillips Gallery of Art; the District of Columbia Chapter of the American Guild of Organists; the District of Columbia Composers Club; the District of Columbia Chapter of the National Association of Composers and Conductors; the National Opera Guild of Washington, District of Columbia, Incorporated; the Board of Directors of the National Symphony Orchestra; the Women's Committee of the National Symphony Orchestra; the Jewish Community Center; the District of Columbia Chapter of the National Society of Arts and Letters; the Community Chest and United Community Services; the United Service Organizations; Washington Music Teachers Association; Young Women's Christian Association; the Citizens' Committee for Music in the District of Columbia Public Schools; the choirs and other art groups of the churches and synagogues of the Nation's Capital; and other cultural, educational, recreational, and civic organizations and institutions. The persons nominated for appointment as members (1) shall be eminent in the fields of the fine arts, and the educational and recreational fine arts; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide ade-

quate representation for all fine arts organizations and all cultural institutions and organizations with fine arts programs in the City of Washington; and

"(2) ten members to be selected and appointed by the President who, in making such appointments, shall give due consideration to any recommendations which may be submitted to him by the National Music Council, the Committee on Government and Art, the Music Educators National Conference, the American Council of Learned Societies, the American Library Association, the American Federation of Labor, the American Educational Theater Association, the American National Theater and Academy, the Association of American Colleges, the National Recreation Association, the National Art Education Association, the American Council on Education, the National Citizens' Committee for Educational Television, and other organizations and institutions in the fields of the fine arts, education, recreation, and public affairs. The persons nominated for appointment as members (1) shall be eminent in the fields of the fine arts and the educational fine arts; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation.

"(c) Any person who has been a member of the Commission for four consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

"SEC. 2 It shall be the duty of the Commission to advise upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected in the District of Columbia under the authority of the United States, and upon the selection of artists for the execution of the same. It shall also be the duty of the Commission to advise upon music, drama, dance, literature, poetry, new writing and composing, civic art and design, motion pictures, still photography, radio, television, iron work, pottery, weaving, woodwork, ceramics, work in metals, engraving, printing, and other plastic and graphic arts, as well as fine arts designed for children and for the older population group, and the educational and recreational fine arts, in the District of Columbia. It shall be the duty of the officers charged by law to determine such questions in each case to call for such advice. The foregoing provisions of this section shall not apply to the Capitol Building of the United States or to the building of the Library of Congress.

"SEC. 3. The Commission shall have a secretary and

such other assistance as the Commission may authorize, and the members of the Commission shall each be paid actual expenses incurred in going to and returning from Washington to attend the meetings of the Commission and while attending the same.

"SEC. 4. The Commission of Fine Arts is hereby authorized and directed to establish a number of annual prizes to be awarded for outstanding contributions made by individuals and organizations to the beautification of the City of Washington and the advancement of its progress in the fine arts, to be given in annual ceremonies by the President to those chosen for contributions made in this field.

"SEC. 5. To meet the expenses made necessary by this Act, an appropriation of not exceeding $50,000 a year is hereby authorized."

THE SMITHSONIAN ART COMMISSION

SEC. 302. (a) There is hereby established a commission to be known as the Smithsonian Art Commission (hereinafter in this section referred to as the "Commission"). The Commission shall give consideration to all matters pertaining to the fine arts coming under the jurisdiction of the Smithsonian Institution, and shall report thereon to the Board of Regents of the Smithsonian Institution.

(b) The Commission shall consist of fifteen members—

seven artists and seven well-qualified judges of the fine arts who shall be appointed by the Board of Regents, and the Secretary of the Smithsonian Institution, who shall be an ex officio member of the Commission. The persons so appointed (1) shall be eminent in the fields of the fine arts and the educational and recreational fine arts or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be selected so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The Board of Regents is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to it by the Committee on Government and Art, the American Council of Learned Societies, the American Association of Museums, the American Federation of Arts, the American Institute of Architects, the American Institute of Decorators, the Artists Equity Association, the Association of Art Museum Directors, the College Art Association of America, the National Academy of Design, the National Association of Women Artists, the National Institute of Arts and Letters, the National Society of Mural Painters, the Sculptors Guild, the American Society of Landscape Architects, the National Art Education Association, the American Council on Education, and by other organizations, as well as institutions, in the field of the fine arts, education, recrea-

tion, or public affairs. The term of office of each member of the Commission shall be four years. Any person who has been a member of the Commission for four years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

(c) Vacancies in the membership of the Commission shall be filled by appointment by the Board of Regents, and any member elected to fill a vacancy shall serve for the remainder of his predecessor's term.

(d) Each member of the Commission not holding other office in the Federal Government shall receive compensation at the rate of $25 for each day he is actually engaged in the business of the Commission pursuant to authorization of the Commission, and shall be allowed travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946.

(e) The Commission shall have the authority to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization, the time and place of its meetings, the establishment of standing committees, subcommittees, advisory committees, and vacancies, and prescribing the duties of such committees.

(f) The primary functions of the Commission shall be (1) to promote the administration, development, and utilization of the National Collection of Fine Arts, including the

acquisition of material of high quality representing the fine arts; and (2) to study the best methods of exhibiting material to the public and its utilization for instruction. All plans for administration of the collections proposed by the Commission shall be submitted to the Smithsonian Institution for approval and action.

(g) A report of the operations of the Commission for each year shall be submitted with the report of the secretary of the Smithsonian Institution at the annual meeting of the Board of Regents on the first Tuesday in December, and shall be printed in the annual report of the Board to Congress, under the heading "National Collection of Fine Arts".

CARTER BARRON AMPHITHEATER

SEC. 303. There are hereby authorized to be appropriated such sums as may be necessary to complete the Carter Barron Amphitheater in the District of Columbia (under the jurisdiction of the National Capital Parks, National Park Service, Department of the Interior) by providing it with a roof and whatever else is necessary to protect both audience and performers from inclement weather in order that it may be of greater service to the public.

SMITHSONIAN GALLERY OF ART

SEC. 304. Section 3 of the joint resolution entitled "Joint resolution to set apart public ground for the Smithsonian

Gallery of Art, and for other purposes", approved May 17, 1938, is amended by adding at the end thereof the following new subsection:

"(d) There are hereby authorized to be appropriated such sums as may be necessary, in addition to the funds received under subsection (a) of this section, to carry out the purposes of this joint resolution."

AUDITORIUMS IN FEDERAL BUILDINGS

SEC. 305. In the planning, design, and construction of Federal buildings where auditoriums are included, due consideration shall be given to current building practices in the construction of schools (including provision for stage and dressing room facilities, stage lighting, and related equipment and facilities designed for the efficient presentation of fine arts productions and programs), as well as to the use of such auditoriums by the community in which they are located, and the purposes of this Act, in order to ensure that any additional auditoriums which may be provided will be suitable for use in carrying out the purposes of this Act: *Provided,* That in advance of the preparation of designs and drawings for each building to be provided with the above-described appurtenant facilities, the Commission shall transfer to the department or agency of the Government that shall undertake the construction of the building, and such department or agency shall accept, and apply as an augmentation

of the funds otherwise available for the construction of the building exclusive of such appurtenant facilities, an amount of money sufficient to defray all the costs to be incurred on account of the provision of such appurtenant facilities.

DECORATIVE ART IN FEDERAL BUILDINGS

SEC. 306. (a) It is hereby declared to be the purpose of this section (1) to encourage the development of a strong and vital American art of painting and sculpture through maximum use of American artists in the decoration of public buildings; (2) to promote the progress of the useful arts; (3) to secure suitable art of the best quality for the decoration of public buildings in this country and buildings of the United States Government in foreign countries; (4) to carry out this work in such a way as will best assist in stimulating the development of American art and rewarding the outstanding talent which develops; (5) to encourage and secure local participation and autonomy to the greatest extent compatible with the quality of the programs authorized by this Act; (6) to encourage and assist in the development of the creative and fine arts for children, and to increase and enlarge the opportunities for the participation of children in the fine arts; and (7) to encourage and assist in the development of the creative arts for older persons, as a vitally important part of the adult programs in the fine arts, and to increase and enlarge the opportunities for the participation of

older persons in the fine arts; (8) to encourage and assist in surrounding our houses, grounds, towns, and cities with a maximum of beauty; (9) to encourage and assist the further growth and development of town, city, and regional planning; and (10) to encourage and assist in the development and growth of increased collaboration and cooperation between artists working in the various fields of the arts, as well as in greater coordination of the various arts.

(b) As used in this section—

(1) the term "decorative art work" includes murals, paintings, sculpture, water colors, prints, ironwork, pottery, weaving, woodcarving, and artistic work in other media.

(2) the term "Director" means the Director of the Smithsonian Gallery of Art (or, until the construction of the Smithsonian Gallery of Art is completed, the Director of the National Collection of Fine Arts.

(3) the term "Federal agency" means any department, agency, or establishment of the Federal Government.

(c) Whenever a public building is to be constructed by or under contract to a Federal agency, the Director and the head of the Federal agency which will have jurisdiction over such building upon its completion shall jointly deter-

mine what percentage, if any, of the total amount of money available for the construction of such building should be used to provide decorative art work for such building. Such determination shall be based upon a consideration of the purposes for which the building is to be used, the types of decorative art work which would be most fitting and appropriate in the light of such purposes, and any other factors deemed relevant by the Director or such agency head. Within the limits of the percentage determined under the first sentence of this subsection, the Director and the agency head shall jointly prescribe the type and extent of the decorative art work, if any, to be provided for such building, and shall, as provided in subsection (d), select the artists, sculptors, or other persons to execute such work.

(d) The Director shall establish a system of open, anonymous, juried competitions to be used by each Federal agency, under the supervision of the Director, in selecting the persons who will execute the decorative art work to be provided pursuant to the determination made under subsection (c) for any public building which, upon completion of construction, will be under the jurisdiction of such agency. In conducting such competitions, every opportunity shall be given to artists, sculptors, and other persons from the community in which the construction will occur, but no artist,

sculptor, or other person shall be selected to execute any such work except upon the sole basis of his artistic qualifications.

(e) In the event that the Director and the agency head concerned determine that no decorative art work should be provided for any building, a sum equal to one per centum of the total amount of money made available for the construction of such building shall be placed in a special fund, to be administered jointly by the Director and the agency head. Money in such special fund may be used, whenever the Director and the agency head concerned determine that it is advisable to do so, in supplementing amounts made available thereafter to provide decorative art work for buildings under the jurisdiction of that agency by providing special or additional decorative art work for such buildings.

(f) Whenever Federal funds are to be made available to any State, county, or municipality as a loan or grant-in-aid, and any part of such funds are to be used in the construction of public buildings, the head of the agency making such funds available shall consult with the Director with respect to the desirability and appropriateness of requiring, in the applicable plan or agreement under which the funds are made available, the provision of decorative art work for such buildings; and any such plan or agreement shall contain such requirements with respect to the provision of decorative

art work as may be agreed upon by the Director and such agency head.

STATEMENT REGARDING FUTURE DEVELOPMENTS

SEC. 307. The Congress hereby reaffirms its belief in the essential nature of the contributions being made by fine arts to the morale, health, and general welfare of the Nation, and in the need for taking all possible steps to further encourage the development and increase the stature of the fine arts in the United States. The Congress accordingly expresses the hope that, with more complete recognition of the importance of the fine arts in our society, action will be taken to establish in the Government, on an equal footing with the other departments of the Government, a new Department of Education and Arts, and to transfer to such Department (along with educational and related functions now being exercised by other agencies of the Government) the functions vested in the Commission or otherwise provided for by this Act.

EXEMPTION FROM ADMISSIONS TAX

SEC. 308. (a) Section 1701 (a) (1) (A) of the Internal Revenue Code (relating to exemptions from the tax on admissions) is amended by striking out "location—" at the end of clause (v) and inserting in lieu thereof "location;", and by inserting after clause (v) the following new clause:

"(vi) a civic or community group or organization engaged primarily in the conduct or presentation of living drama, ballet, or dance—".

(b) The amendments made by subsection (a) shall apply only with respect to amounts paid on or after the first day of the first month which begins more than ten days after the date of the enactment of this Act for admissions on or after such first day.

DEFINITIONS

SEC. 309. For the purposes of this Act—

(1) the term "fine arts" includes opera and other forms of music, drama, ballet and other forms of dance, new writing and composing, literature, poetry, architecture, landscape architecture, city and regional planning, civic art and design, housing, interior design and decoration, motion pictures, still photography, radio and television, ironwork, pottery, weaving, woodwork, ceramics, work in metals, engraving, printing, sculpture and painting, and other plastic and graphic arts, as well as fine arts designed for children and for the older population group in our country, and the educational and recreational fine arts; and

(2) the term "nonprofit organization" means any public or private foundation, charitable trust, accredited college or university, or other organization (whether or not incorporated), no part of the net earnings of which inures to the benefit of any of its stockholders or members.

83D CONGRESS
2D SESSION

H. R. 7106

A BILL

To provide for the establishment of an American National Memorial Arts Commission, and for other purposes.

By Mr. BOLLING

JANUARY 11, 1954
Referred to the Committee on Education and Labor

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

February 3, 1954

Dear Mr. Wells:

The Commission of Fine Arts, at their meeting on January 28, 1954, considered your letter of January 27, and the preliminary architectural design and floor plans for an automobile parking structure to occupy the premises of the Washington Post Building at 1335 E Street, Northwest. The Commission noted that this automobile parking structure is to be similar to the one you designed for 1415 Pennsylvania Avenue, Northwest, which received the approval of this Commission and is now under construction.

The Commission gave preliminary approval to the design, subject to approval of a design for a neon sign as well as its location on the building. The Commission understand that you will embody suggestions in matters of detail which were discussed at the meeting.

For The Commission of Fine Arts:

Sincerely yours,

David E. Finley,
Chairman.

Mr. Hewitt Wells,
Hewitt Wells Company,
1401 K Street, N. W.
Washington 5, D. C.

EXHIBIT G

January 14, 1954

Admiral Thomas C. Kinkaid, Vice-Chairman
The American Battle Monuments Commission
Main Navy Building
18th and Constitution Avenue, Northwest
Washington 25, D. C.

Dear Admiral Kinkaid:

After serious consideration and in consultation with my partners, I wish to state that the firm of Voorhees Walker Foley and Smith requests that the contract between them and The American Battle Monuments Commission be canceled, and, that they be released from further responsibilities as of this date; further that they be compensated for the work finished under the contract together with all amounts due their associates, all in accordance with Article Eight of the contract, dated December 15, 1949, and signed for the Commission by Robert G. Woodside as Vice-Chairman.

It seems to us that no mutual benefit can result where trust is lacking and where enthusiasm no longer exists. Certainly on our part what might have been a glorious adventure has descended to a nadir of frustration. Naturally we have a just reaction against what seems to be criticism for criticism's sake, and also against an apparent unwillingness on the part of the Commission to fulfill its legal and moral contractual relations. We believe only further annoyance can develop from the present unsatisfactory conditions.

EXHIBIT H

January 14, 1954

Admiral Thomas C. Kinkaid, Vice-Chairman

We might have left the matter with this brief statement but a break in relations is so serious, and in our long experience unprecedented, that further explanation and comments seem necessary. They are to be found in the papers accompanying this letter. Most of them were written before the receipt of a letter from General North dated December 17, 1953.

Sincerely yours,

Voorhees Walker Foley & Smith

Ralph Walker

cc: Fine Arts Commission ✓
Brig. Gen. Thomas North
Mr. John Harbeson
Messrs. Reuter and Loschetter
American Institute of Architects

Enclosures:
Memorandum (9 pages)
Enabling Acts (4 pages)

MEMORANDUM

LUXEMBOURG AMERICAN CEMETERY

Immediately after the meeting with The American Battle Monuments Commission on December 11, 1953, I attended another - this time as a member of an Advisory Committee to the President - where I watched good ideas being worried and torn by "semantic" terriers. I realized as my anger subsided and after I had somewhat licked my wounds, that the members of the Commission had also been engaged in a similar occupation. It was obvious that the words used in the minutes read to me had definitely attained a position which Bertrand Russell calls "Sunday words" - those in which firm and fast convictions are set up regardless of the facts; and these words had already built a formidable wall of misunderstanding and prejudice through which it would be difficult, probably, to find a free way to an appreciation of what I had tried to create for Hamm.

The Commission cannot help but realize, I am sure, that the architectural success of the memorial at Hamm always has been of greater importance to me than it could be to the Commission, past and present, because long after its minor administrative - perhaps doubtful critical - contributions, my reputation would continue to be enhanced or tarnished by the degree of fitness and beauty attained. My stake, therefore, as an architect developed a responsibility more binding, more lasting, and more vital than that of the Commission. Success, if such it was, would be my success, and failure would be mine also. It is just this responsibility that every creative architect knowingly seeks and in which every wise client willingly confides - both hoping "that he may build better than he knew."

To come back to "words" as I remember them, they fell into two patterns: one, obvious absurdities - such as a wish to follow the characteristic architecture of Luxembourg. It does not require a vast knowledge of architectural history or of the great cultural movements which took place across Europe to know that Luxembourg always was and still is a provincial backwater in which each of the great styles has left a meagre trace - each time one lacking in true nobility and totally undistinguished as to detail. There is at this moment throughout the world another such cultural movement in development and while it has, presently, a few virtues and many faults, only the blind will deny it future promise. Along the streets of the city of Luxembourg there are already sad manifestations. I have traveled by car all over the Grand Duchy and my advice to the Commission would be to drop any future insistence on such an irrationality. Can anything be more amusing than the home of the Grand Duchess? Hollywood in "Call Me Madam" had to invent a new decor - perhaps this should be copied.

There is, however, one characteristic of the city of Luxembourg and its immediate environs which has individual color, and that is the rugged nature of the terrain. This also gives personality to the cemetery site. It was appreciation of this ruggedness in large scale which led to the development of my design; that, together with a realization of what LeNotre had taught - that outdoor scale can be magnificient and at the same time achieve a simple human relationship. I have visited many of the chateaux influenced by LeNotre and have been thrilled each time by the natural kinship between rolling land, forest and planned open spaces - all in a scale wherein timidity had no place.

It seems lacking in an understanding of the inherent pride of small countries to suggest that because the Grand Duchy is small in size the memorial should be small also - the contrary would seem to be made necessary by the size of the cemetery, the importance of the military actions of which it was the center, and the character of terrain and the inherent pride of a friendly and appreciative people. I know of no criticism generated in Luxembourg.

Again an obvious absurdity lies in these words: "It is more commercial than it is military or monumental." The scale of the designed memorial, its complete and harmonious relation to both entrance court and the great mass of crosses and stars beyond, is a truly monumental character. Its simplicity and austerity give it a masculine strength. Of the religious qualities of the chapel - which also has monumental scale - I would speak later.* Perhaps the blind spot here developed is in a fear of the use of plate glass, and I would make this comment: I believe it to be a fine architectural material extremely monumental in character, and I am sure, after many years of philosophical study, that the Greeks would have deemed it both "beautiful and good." A very fine example of monumental glass exists in the great window which permits a vista between L'Eglise St. Louis and the Tomb of Napoleon where it is used, successfully, to connect a simple Gothic church with a "Pompier" memorial.

The other word pattern was that of carping criticism for the sake of criticism, such as "one of the figures had two right hands." When I suggested Miss de Coux as a sculptor she had already done distinguished work for me. She is a pupil of Carl Milles and has been influenced by Mestrovic. You may be sure she knows the basis of anatomy far better than any layman. Perhaps the symbolism is too simple. The panels are well-known symbols of Biblical sacrifice - the Bible of course is not read much any more - one represents Abraham and Isaac the other Christ at Gethsemane. The Commission may remember that in both cases God interfered to make the sacrifice a more divine one.

*See Notes on Design

Another example of this carping is "that the wreaths at the heads of the columns should be improved." Now really! This to a man who has given serious effort to the philosophy and practice of architecture for nearly fifty years May I protest that this verges on presumption and assumes an authority and a competence I cannot recognize Why go on - as far as I could see - everything is wrong.

The caviling character of the comments and criticisms made by the Commission, coupled with the Olympian manner in which they were handed down, left me wondering whether I was a defendant in court, or whether The American Battle Monuments Commission had forgotten that the Commission had offered and entered into a contract with me (because they believed I understood that I was an outstanding architect), and under which it too assumed certain moral and legal obligations It will be remembered I said my costs already exceed twice the expected fee. So in speaking of our contract I am not, as the Commission should not be affected by any monetary consideration - except that which is definitely owed our firm and associates should be paid I am concerned with the moral rights of the artist

May I outline the steps and authorities undergone in our contractual relations First: I was asked if I would be interested in accepting the architectural commission Naturally I thought, as a veteran and as an architect it was a marvelous opportunity and I accepted it in that spirit Second: I received a long letter of instructions from General North in which a definite procedure leading to a future contract was outlined It mentioned that the design had to have the approval of The American Battle Monuments Commission, and then that of the National Fine Arts Commission A design was prepared presented and criticized I took the opportunity before making corrections to visit Hamm (Here I would like to make a correction to a statement made at the meeting While four visits were made by members of our office to the site, three were made by me the other by Mr Maurice Gauthier who assisted me in the design I believe we are to be reimbursed for the visit made by Mr Gauthier)

I listened with patience during the early meetings with the Commission and made the necessary alterations to meet the criticisms - largely these of Mr Harbeson for the Commission and also those later of the Fine Arts Commission Finally a contract for the working drawings was offered and executed with the signature of Robert G Woodside for the Commission. This of course after the design had received firm approvals by both The American Battle Monuments Commission and the Fine Arts Commission May I say that in my opinion the original design was better than the compromised one Had I known that the design would also have had to gain the

aesthetic approval of a subcommittee of Congress I would have refused to consider such a contract, because when, as Jimmy Durante says, "everybody tries to crowd into de act it's moider," the result, architecturally of course would be an outright bastardy and the paternity finally and completely doubtful. Later extensive corrections were made to reduce the cost of the contemplated work and at our expense although the index of building costs had sharply risen throughout the world in the time during which the drawings had been approved and prepared.

I was amazed last summer when I was shown a letter to General North from Congressman John Phillips, in his capacity as Chairman of a Subcommittee on Appropriations, wherein he took an unwarranted position of veto power on aesthetic matters - a position clearly outside the responsibilities of his committee. Anyone who reads the enabling act setting up The Battle Monuments Commission must be impressed by the mandatory powers given by Congress to the Fine Arts Commission- which is clearly indicated as the final and authoritative arbiter in matters of design. The law seems to have been written especially to eliminate future interference by those lacking in sufficient knowledge and competent background, and who, that wise Congress knew would rarely resist a desire to meddle. The Commission might well read Section 3 of the Act. The enabling act is included as supporting data. Also, as I remember from my reading of that letter, there was an implied threat that unless the design of Hamm was changed, all appropriations would be delayed. This also seems a strange abuse of power. An architect does not mind taking criticism from another competent architect, such as an adviser to a commission, for that adviser has been selected to act in liaison to overcome misunderstandings· nor does he resent criticism from members of a Fine Arts Commission, because in both cases such criticisms are voiced by people thought, at least, to be his peers.

I was asked to visit Mr. Phillips and if possible conciliate him. I saw Mr. Phillips and found that he has raised some "Sunday words" as an individual blind spot, and the burden of his position was contained in this wise crack, i.e., that "the design looks like a first World War 'Jenny'" - which is, of course, so absurd as to merit little other than wonder. A wise crack is never thought to be an honest basis of competent criticism. In our world it is not sufficient merely to think one knows - one must know - otherwise to meddle is but to destroy.

I am further amazed, this time as an American citizen, at the doubtful propriety of a man acting as a member of a commission when simultaneously, as chairman of a subcommittee on appropriations, he has a direct budget interest in its project.

And now after seven years - five under a formal contract - I am asked to rip up my work and start over again. I would simply quote the famous reply of the Commanding Officer at Bastogne

May we consider that this presently constituted Commission has a legal right to make devastating criticisms and that I am willing to accept them as reasonable (a thesis I do not admit), and that later the Commission would give its approval to newly presented proposals: then may we consider for a moment those ever probable acts of God as removing a majority of the present members of the Commission. How might I now be assured that the new appointees who replace them would feel any greater moral obligations to follow out the opinions and approvals than the present Commission has had to those of its predecessors? The limits of contractual logic in fact of human patience, are soon exhausted in the consideration of the continuing annoyance possible under the burden of an idea that every new turn in the political wind permits a different interpretation of moral responsibility and, moreover, grants a questionable right to further harass a creative architect or artist who has honorably entered into and fulfilled his part of a mutually executed and formal contract. In all honesty by what right can the present body declare that its predecessors were incompetent and not acting in good faith? Would not this very self-righteousness on its part give doubt as to a lasting validity in the decisions of the present Commission.

All of these considerations raise a question in my mind as to whether it will be fruitful to all concerned if our contract is continued. Certainly the Commission seems unwilling to put trust in me or even, as I have outlined, recognize the obligations previously undertaken by the Commission. For my part competently knowing that my design is both exceptional and good, I will not further compromise it I suggest that if any compromise is to be made it would seem more fitting that it be made by the Commission, because if it is at all honest it must admit its understanding of creative architecture, individually and collectively, is far less than mine This I know - that those projects on which I have made the greatest compromise are those for which I have been most justly blamed.

Since writing these comments on the reading of the minutes of the Commission from memory, I have received the letter dated December 17, 1953 from General North While the words are more gentle the facts remain harsh and uncompromising. I regret to say my desire to work for the Commission has not been made any happier or more hopeful of true achievement.

In developing a series of lectures on architectural aesthetics I came across this statement by Rebecca West I pass it on in the hope that a reading of it may guide the Commission so to temper its relationships with other artists that they may not end so needlessly and in a manner so violently disruptive.

"The artist must exhibit what appears to the world as arrogance if he is a real artist, because he will know when he is going through the right mental movements of analysis and synthesis of the higher forms of experience just as one knows when one has achieved the right muscular movements of the Australian Crawl, and will claim to be an artist, which claim must seem conceit except to those able to judge of it, since they conceive him to make it because of his judgment of his work instead of his consciousness of an internal process. It is true that people who are not artists feel a certainty that they are; but that is no proof that people who are artists have not a specific feeling which tells them they are artists, any more than the fact that many lunatics believe themselves to be members of the Royal Family proves that there is not a Royal Family with a sense of its own position. Moreover, the artist must believe that what he is doing is of supreme importance, because otherwise his psyche would not give it all his forces. 'If the artist,' one might say, 'does not believe that he alone is fit and destined to light up the world with the beauty of his work he would at once sink into being. . . a mere craftsman.' "*

I think, under the circumstances, it would be better if we mutually voided the contract - the Commission to seek the stereotype so earnestly desired, and I to find comfort in maintaining the integrity of an ideal.

NOTES ON THE DESIGN OF THE CHAPEL AT HAMM

All my life I have been interested in religious architecture. As a youngster I had the great good fortune to work in Bertram Goodhue's office where I acted as an assistant to one of the great Gothicists of our time, Ernest Jago. I helped in that capacity on the last design Goodhue made for the cathedral at Baltimore, and I drew many of the details for the reredos at St. Thomas' in New York. My travels have been extensive and I think I have seen most of the great churches in both the old and new worlds. I have watched people kneel and pray in cathedrals, humble chapels, in fields and at open shrines along the road. As a Scotch Presbyterian I learned to say the Lord's Prayer standing erect. I was taught to kneel in courteous understanding by a Canadian habitant who, at the proper time in the Mass curtly told me - "a bas m'sieur" - and I have "a bas ed" every since under similar circumstances. I have attended dawn services with the Buddhists and have stood reverently before my ancestors at the famous shrine in Ise. I have attended a great "Holy Year" midnight Mass at St. Peter's and was filled with exaltation at a similar Mass the Christmas Eve after the first World War in the crowded and mediocre cathedral at Nancy. I have long been interested in what architectural space can do in either depressing or stimulating the mind, and that rare quality we call vision.

*"The Strange Necessity" by Rebecca West, pages 148-149, First Edition, Jonathan Cape, London, 1928.

Luxembourg American Cemetery - 7.
(Notes on the Design of the Chapel at Hamm)

The chapel at Hamm was first thought of as a simple open shelter, a shrine with a fine altar of beautiful stone and all of one piece - into which was to be driven a crusader's sword, blunting the point but leaving erect the hilt and guard to act as the soldier's cross. This symbol of course is as old as the crusades of the eleventh and twelfth centuries The Altar was to have inscribed upon its face these compassionate words by Euripides:

"What else is wisdom? What of man's endeavor
Or God's high grace, so lovely and so great?
To stand from fear set free, to breathe and wait;
To hold a hand uplifted over hate."

The early criticism made by a previous Battle Monuments Commission was that the climate of Luxembourg was too inclement for such a simple open shelter that it would be better adapted to a southern site. And so glass screens were proposed and finally accepted when it was clearly shown that the sight lines were such that it was impossible to see a kneeling figure within the chapel, or for that matter a standing one, from the circular court and the altar was placed deep within, so there would be little interference from people walking in the colonnade. In fact, the whole design - the propylaea leading as gateways to the cemetery beyond - was based on the idea that while the chapel was an integral part of the design, attention would be directed first to the graves and then to the chapel - which was for those few who on their return might wish to find a simple quiet place for prayer or contemplation; they, who, without hypocrisy so deeply feel the need for prayer that they are oblivious to the curious.

I wrote these notes, in a diary of ideas, at the time of the second submission of the design to the Commission:

"My little chapel is not designed to hold in tight inclusion any individual sorrow but, to relate the grief of a single soul to an embracing community - through the calmness of a releasing vista. My austere walls are not thought of as enclosing the inconsolate - but, as firm guides leading the compassionate into God's infinite world beyond." This Commission unknowingly of course, calls the chapel a box. I know it, in its spiritual proportions and in its physical serenity, to be a temple.

Recently I found this statement by Albert Schweitzer which I think is truly relevant: "A church is a place for devotions and merely as a building it ought to keep people at a devotional level But it can never do that if in every direction the worshiper's eye is brought up short by walls. There

is need of distance - of a background which lends itself to the mood of the worshiper - so that the outward gaze can change to an inner one."

I mentioned L'Eglise St. Louis in Paris where I attended, recently, a High Requiem Mass. There is behind the altar a great window of ornamental bronze and large areas of clear plate glass, through which is glimpsed the great baldacchino immediately in back of Napoleon's tomb. The effect of the distant vista in no way affects the religious quality, for the service I witnessed was one of great tenderness and dignity; on the contrary, it was like looking from a Lady Chapel into the choir and the aisles beyond with a resulting loss of enclosure and that exhileration of spirit which comes subconsciously as the eyes and mind are released into long perspectives.

After reading Santayana's "Persons and Places" I made the following observation which I think is a reasonable interpretation of his thoughts: In criticism of a small church in Boston, Santayana complained that the space from the nave to the apse fell before him - lower and lower - until it hemmed in the altar of God; whereas it should have been lifted - higher and higher - so that as the Host was raised, his (Santayana's) mind and spirit would have sufficient space in which to follow its glorification.

These comments will indicate - why should they not convince? - that there was a definite philosophy initiating the design of this chapel.

One statement which interested me greatly, and it has been used many times, is that the chapels at military cemeteries are for the use of near relatives who may wish to find solace in prayer and that great architecture is secondary. Perhaps they need not be in opposition, and perhaps the idea of designing for a single generation is unworthy of our effort. Certainly it is a strange doctrine to suggest to architects that great architecture is not important. Is Chartres any less conducive to prayer because it is one of the great architectural masterpieces of all time? I visited the two cemeteries at Belleau Woods and Fere-en-Tardenois. They had a special interest for me because I was with the 2nd Division which stopped the German advance at Chateau-Thierry. These cemeteries, especially the one at Belleau, are cold and uninviting. My wife's observation, and it agrees with mine, is that they look too much like funeral chapels - lacking that sense of religious perspective that Albert Schweitzer suggests is so necessary for devotional needs.

I advise the Commission that no artist may be inspired to build a true structure when forced to work in an atmosphere of prejudice, under the

strain of wondering whether his ideas may be acceptable. Why should anybody living in these days refuse to recognize that the artist creates as he sees - or, ask him to imitate motifs - even from an acknowledged and pleasant past - which has always, and will always, result in pitiful mediocrity. There are still cousins of man hanging by their tails in never visited jungles.

May I suggest, finally, that plate glass in a sensitive relation to landscape and homely worship does create, and will create increasingly, stirring stimuli - stimuli which wise clients and inspired architects will achieve in honor of God.

December 30, 1953 RALPH WALKER

"An Act For the creation of an American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe and for other purposes."

March 4, 1923
(H.R. 14087)
Public No. 534

Taken from
UNITED STATES STATUTES AT LARGE
Volume 42, Chapter 283, Pages 1509-10
(Sixty-Seventh Congress, Session IV)

American Battle Monuments Commission. Creation and composition of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created and established, to be known as the American Battle Monuments Commission (hereinafter referred to as the commission), to consist of seven members who shall be appointed by the President, who shall also appoint one officer of the regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. The secretary shall also serve as disbursing officer of the commission, who shall make disbursements upon vouchers approved by the chairman.

Secretary's duties.

Only actual expenses to be paid.

The members of the commission shall serve without compensation except that their actual expenses in connection with the work of the commission may be paid from any funds appropriated for the purposes of this Act, or acquired by other means hereinafter authorized.

Personnel from departments, Army, Navy, and Marine Corps to assist.

Upon the request of the commission the President is authorized to designate such personnel of any department of the Army, Navy, or Marine Corps as may be necessary to assist in carrying out the purposes of this Act, and the commission is authorized to employ such further personnel as may be necessary to carry out the purposes of this Act, within the limits of any appropriation or appropriations made for such purposes.

Memorials to American forces in Europe, to be planned, etc., by.

Sec. 2. That the commission shall prepare plans and estimates for the erection of suitable memorials to mark and commemorate the services of the American forces in Europe and erect memorials therein at such places as the commission shall determine, including works of architecture and art in the American cemeteries in Europe.

Memorials in American cemeteries subject to commission.

The commission shall control as to materials and design, provide regulations for and supervise the erection of all memorial monuments and buildings in the American cemeteries in Europe.

Photographs of battlefield where American forces were engaged to be secured.

The commission shall cause such photographs to be secured or taken of the terrain of the various battlefields of Europe, upon which units of the armed forces of the United States were actively engaged with the enemy, as will complete the histori-

cal photographic record of the operations of such units; and the commission shall transmit such record when completed to the Secretary of War for permanent file with the records of the War Department.

Approval of designs, etc., by Fine Arts Commission.

Sec. 3. That before any design or material for memorials is accepted by the commission, the same shall be approved by the National Commission of Fine Arts.

Arrangements with foreign authorities requested.

Sec. 4. That the President is requested to make the necessary arrangements with the proper authorities of the countries concerned to enable the commission to carry out the purposes of this Act.

Donations accepted from States, etc.

Sec. 5. That the commission is authorized to receive funds from any state, municipal, or private source for the purposes of this Act, and such funds shall be deposited by the commission with the chief of Finance of the United States Army and shall be kept by him separate accounts and shall be disbursed upon vouchers approved by the chairman of the commission.

Deposit and accounting.

Sec. 6. That authority is hereby given for the preparation of models and designs and the fabrication of memorials, and the materials for such memorials, at arsenals or navy yards or by other governmental agencies, if the commission shall so determine.

Use of captured war materials.

Authority is hereby given for the use of captured war materials, not otherwise disposed of by congressional action, in the fabrication of not to exceed ten thousand pounds of bronze to be used on the memorials constructed under the provisions of this Act. Provided That in the selection of materials the commission shall refrain from utilizing material which might otherwise be available for decorative or memorial purposes.

Replicas of memorials, etc., may be furnished at cost.

Sec. 7. That the commission is authorized to furnish replicas of any memorial, or any part thereof, to States, municipalities, or interested private persons or associations at actual cost, and to apply any proceeds from such sales to the purposes of this Act.

Cooperation with citizens, States, etc.

Proviso.

Approval of plans.

Sec. 8. That the commission is authorized and directed to cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials in Europe in such manner as may be determined by the commission: Provided, that no assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of this Act.

Maintenance.

Sec. 9. That it shall be the duty of the Secretary of War to maintain the memorials erected by the commission under authority of this Act, and the commission shall advise the Secretary of War of the location and date of completion of each memorial.

Sec. 10. That the commission shall transmit to the President of the United States annually on the first of July a statement of all its financial and other transactions during the preceding fiscal year.

Sec. 11. That such sum or sums as Congress may hereafter appropriate for the purposes of this Act are hereby authorized to be appropriated. Authority for appropriations.

Sec. 12. That the records and archives of the commission shall, upon the termination of its duties, be deposited with the Secretary of War. Final deposit of records and archives.

Approved March 4, 1923.

"An Act Establishing a Commission of Fine Arts"
Taken From
UNITED STATES STATUTES AT LARGE
Volume 36, Chapter 243, Page 371
(Sixty-First Congress, Session II)
Years 1901-11

May 17, 1910
(H.R. 19962)
(Public, No. 181)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a permanent Commission of Fine Arts is hereby created to be composed of seven well-qualified judges of the fine arts, who shall be appointed by the President, and shall serve for a period of four years each, and until their successors are appointed and qualified. The President shall have authority to fill all vacancies. It shall be the duty of such commission to advise upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected under the authority of the United States and upon the selection of artists for the execution of the same. It shall be the duty of the officers charged by law to determine such questions in each case to call for such advise. The foregoing provisions of this Act shall not apply to the Capitol building of the United States and the building of the Library of Congress. The commission shall also advise generally upon questions of art when required to do so by the President, or by any committee of either House of Congress. Said commission shall have a secretary and such other assistance as the commission may authorize, and the members of the commission shall each be paid actual expenses in going to and returning from Washington to attend the meetings of said commission and while attending the same.

Commission of Fine Arts Created. Composition.

Advisory duties as to statues, etc., in the District of Columbia.

Not applicable to Capitol and Library of Congress.

Secretary, etc.
"Post", p. 728

Sec. 2. That to meet the expenses made necessary by the Act an expenditure of not exceeding ten thousand dollars a year is hereby authorized.

Expenditure authorized.
"Post", p. 728

Approved May 17, 1910.

C O P Y

MOORE AND HUTCHINS, ARCHITECTS
215 East 37th Street
New York

January 26, 1954

Mr. David Finley, Chairman
Fine Arts Commission
c/o National Gallery of Art
Constitution Avenue
Washington, D. C.

Dear Mr. Finley:

As you may already know, we are the Architects for the permanent American Cemetery at Carthage, North Africa, now under construction by the Battle Monuments Commission. On an important wall in a cloister of this project, are to be placed decorative maps of the campaigns, which are to be executed by an artist or mural painter.

Several months ago we submitted for approval for this assignment the name of Henry Varnum Poor, in the anticipation that he would execute the wall in ceramics, in which he is especially skilled and which would be particularly appropriate for our project. You are familiar with his qualifications; probably also with the fact that he saw service in the first World War and also at the front in the second World War. We understand that his name came before your Commission and was approved for the work.

Recently we received word from the Battle Monuments Commission that Mr. Poor would not be awarded this contract and that we should submit other names for approval. No reason for the decision is given, and it has not been possible to obtain reconsideration.

This is a very real disappointment to us, as it is to Mr. Poor. We feel that an opportunity for a significant artistic achievement may be lost. However, since our contract is with the Battle Monuments Commission and we receive instructions from it, we are in a position in which we must accept its decision.

Nevertheless, as individuals and architects keenly interested in promoting the arts, we feel that there is a principle of utmost importance involved. We believe that an artist of acknowledged talent and national reputation, such as Mr. Poor, is entitled to know the reasons for his rejection, whether artistic or otherwise. We therefore bring this matter to your attention for whatever action your Commission thinks appropriate.

Yours very truly,
Sgd. John C. B. Moore
MOORE AND HUTCHINS

EXHIBIT I

83D CONGRESS
2D SESSION

H. R. 6876

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1954

Mr. BROYHILL introduced the following bill; which was referred to the Committee on the District of Columbia

A BILL

To authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River and Theodore Roosevelt Island in the vicinity of E Street, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed to construct, maintain, and operate a bridge over the Potomac River and Theodore Roosevelt Island, from the vicinity of E Street on the District of Columbia side of the Potomac River to connect with United States Route Numbered 50 on the Virginia side of the Potomac River in the vicinity of Arlington Ridge Road, together with

EXHIBIT J

bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with roads and park roads on the Virginia side of the Potomac River, at a cost not to exceed $24,500,000.

SEC. 2. The Federal agencies having control and jurisdiction over the lands of Theodore Roosevelt Island and the lands at and adjacent to the ends of the bridge shall transfer to the Commissioners of the District of Columbia, upon their request, the areas to be occupied by said bridge, approaches, and connecting roads, all as shown more particularly on plans of such bridge, approaches, and connecting roads, to be prepared and approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, Department of Commerce.

SEC. 3. The Commissioners of the District of Columbia are authorized to enter into an agreement or agreements with the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by the State Highway Commission of Virginia, to such extent as the Commissioners of the District of Columbia shall deem necessary, in the construction of said bridge, approaches, and connecting roads, acquisition of land for rights-of-way, contributions toward costs, temporary or permanent closing of existing roads, and any other matters relating to the con-

struction of said bridge which the Commissioners of the District of Columbia may consider appropriate.

SEC. 4. The Commissioners of the District of Columbia are authorized to make such use of federally owned and controlled lands at and adjacent to the bridge and the lands of Theodore Roosevelt Island as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing said bridge, approaches, and connecting roads, and storing of materials incident to such preliminary work and to actual construction.

SEC. 5. The Commissioners of the District of Columbia are authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed, park roads, streets, and highways under the jurisdiction of the United States, and to negotiate for the closing of roads by agreement with Virginia authorities, when necessary in connection with the preparation of plans for, and during the actual construction of, said bridge, approaches, and connecting roads. The Commissioners of the District of Columbia are further authorized to prepare plans for such changes in park roads as they deem necessary to provide maximum efficiency in handling traffic to and from said bridge, and when such plans are approved by the Bureau of Public Roads, to construct roads in conformity with such approved plans.

SEC. 6. (a) The National Park Service is authorized and directed to remove or transplant to other locations any and all planting materials within the area to be used for the bridge, approaches, and connecting roads or for construction purposes, when requested by the Commissioners of the District of Columbia. The Commissioners of the District of Columbia are authorized and directed to regrade the areas involved in the construction of the bridge, approaches, and connecting roads so as to conform with plans to be approved by them and the Bureau of Public Roads.

(b) Upon completion of said bridge, approaches, and connecting roads and the regrading of the areas, or prior thereto, when authorized by the Commissioners of the District of Columbia and when such operation or operations will not interfere with the construction of said bridge, approaches, and connecting roads, the National Park Service is directed to landscape such areas in accordance with the plans of the National Park Service as may be approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, the cost of said landscaping to be paid out of funds made available for the purposes of this Act.

SEC. 7. The cost of construction, reconstruction, and repair of all roads which are changed or made necessary as an incident to the construction of said bridge, approaches, and connecting roads, when approved by the Commissioners of

the District of Columbia and the Bureau of Public Roads, shall be paid out of funds made available for construction of said bridge, approaches, and connecting roads.

SEC. 8. The bridge provided for by this Act shall be known and designated as the "Theodore Roosevelt Memorial Bridge".

SEC. 9. The right to alter, amend, or repeal this Act is hereby expressly reserved.

83D CONGRESS
2D SESSION

H. R. 6876

A BILL

To authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River and Theodore Roosevelt Island in the vicinity of E Street, and for other purposes.

By Mr. BROYHILL

JANUARY 6, 1954
Referred to the Committee on the District of Columbia

EXTRACT OF MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS
MARCH 28, 1952

RESOLUTION OF THE COMMISSION OF FINE ARTS CONCERNING
THE PROPOSED BRIDGE OVER THEODORE ROOSEVELT ISLAND

The protection of the parks of Washington is a responsibility which rests upon every agency concerned with municipal affairs. Washington has few parks but they are of supreme beauty and, of course, must be protected for the benefit of those who live after us.

Whenever, therefore, a proposal is made by any agency for a project, which might impinge upon a park or number of parks in Washington, this proposal must be given most careful scrutiny to make sure that it is not injurious to the character and usefulness of the parks. If it should appear that any proposal tends to injure the beauty or usefulness of a park, this proposal must not be adopted until every alternate proposal has been carefully examined and every possible means taken to minimize injury to the parks.

One of the most beautiful areas in the City of Washington is that section of the Potomac River which lies north of the Memorial Bridge. By good fortune a stretch of the River has been preserved, together with beautiful landscapes on all sides. To the west lie meadows crowned by the hills of Arlington; to the east, the white temple of the Lincoln Memorial, with its embankments and its noble bridge; and at the north lies one of the loveliest fragments of untouched forest lands in any city of America and forming an island of great beauty. This is the Theodore Roosevelt Island.

In the opinion of the Commission of Fine Arts the bridge proposed at E Street and carried directly across Theodore Roosevelt Island would in

large measure destroy the beauty of this remarkable landscape lying at the very centre of greater Washington. The bridge would bisect the land lying north of the Memorial Bridge and would destroy its unity.

The Theodore Roosevelt Island was a gift to the government by a number of friends of President Roosevelt and, in accepting this gift, the government agreed to preserve this land as a sylvan reserve, apart from the city and to preserve it in a natural state, untouched by artificial constructions. Quite aside from its relation to the Potomac landscape, the island itself is of inestimable value to the City of Washington and in the future this value will progressively increase.

Now, therefore, the Commission of Fine Arts resolves that they will bring these considerations to the attention of those in authority and will urge that the project for the E Street bridge be carefully reconsidered and every alternate proposal examined with the greatest care.

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

February 3, 1954

Dear Sir:

Your letter of December 26, 1953, concerning a proposed national headquarters building for the National Medical Association, received consideration by the Commission of Fine Arts at a meeting held on January 28, 1954.

There are numerous "headquarters buildings" in the City of Washington, located here because of its being the National Capital. You are doubtless familiar with some of them. Several of these buildings are monumental buildings faced in marble or granite, particularly those on Seventeenth Street and Constitution Avenue, Northwest.

The Commission would be pleased to see a National Medical Association Headquarters Building in this city, and suggest that you take up the question of locating the proposed building in Washington D. C. with the United States Chamber of Commerce which, as you doubtless know, also occupies a monumental building.

I am enclosing a few photographs of the buildings I have mentioned.

For The Commission of Fine Arts:

Sincerely yours,

David E. Finley,
Chairman.

Mr. Samuel C. Smith,
Administrative Secretary,
Medico-Chirurgical Society
of the District of Columbia,
1830 - 15th Street, N. W.,
Washington 9, D. C.

EXHIBIT K

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

EF S/S -PR

February 4, 1954

My dear Mr. Muir:

I have received your letter of January 27th which I read to the members of the Commission of Fine Arts at our meeting on January 28th. The Commission understands that Mr. Witt, 15 Dorset Square, London, has offered, through the American Embassy at London, to restore to the White House a sofa and three chairs in his possession which are believed to have belonged to President Lincoln. In the opinion of the Commission, the chairs would be suitable for use in the Lincoln bedroom at the white house if a suitable place can be found for them in that room; and in the event they can be so used, the Commission is glad to recommend acceptance of the offer of gift.

Sincerely yours,
Sgd.
David E. Finley,
Chairman.

Mr. R. D. Muir
Acting Chief of Protocol
Department of State
Washington 25, D. C.

def/b

P. S. I am returning your file and the photographs herewith.

(Note: Inadvertently, the word "sofa" was omitted from the last sentence in the above letter, but the acceptance recommendation includes the sofa and three chairs.)

EXHIBIT L

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

February 1, 1954

Dear Mr. Warren:

The Commission of Fine Arts, at their meeting on January 28, 1954, were pleased to inspect the mural painting in your office by John Chapman Lewis. Also, the Commission enjoyed hearing your detailed explanation of the painting which illustrates scenes in North Carolina, close to your home.

The Commission regretted the absence of our painter member, Mr. Biddle, who was prevented from being present on account of illness. However, the Commission unanimously approved the painting.

For The Commission of Fine Arts:

Sincerely yours,

David E. Finley,
Chairman.

Hon. Lindsay C. Warren,
Comptroller General of
the United States,
General Accounting Office,
Washington D. C.

EXHIBIT M